

COMMISSION MEETING AGENDA

January 28, 1982, 10 a.m. to 5 p.m.
Kona Kai Club - Bayview Room
1551 Shelter Island Drive
Shelter Island, San Diego

CALL TO ORDER

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTIONS

A. APPROVAL OF MINUTES

Minutes of regular Commission meeting October 23, 1981, in Sacramento.

B. CONSENT CALENDAR

1. Receiving Course Certification/Decertification Report

Since the October meeting, there have been 12 new certifications and 6 decertifications.

In approving the Consent Calendar, your Honorable Commission takes official note of the report.

2. Receiving Information on New Entry Into POST Reimbursement Program

Procedures provide for agencies to enter the Reimbursement Program if certain qualifications are met. The following agency has met these requirements and has been accepted:

The State Center Community College District
Police Department.

This item is on the Consent Calendar for information. In approving the Consent Calendar, your Honorable Commission takes note of receiving this information.

3. Receiving Information on New Entries Into Specialized Program

The agencies listed below meet the requirements to enter the POST Specialized Program and have been accepted:

- Modesto Judicial District Marshal
- California Department of Insurance - Fraud Investigation

Consent Calendar - cont.

This item is on the Consent Calendar for information. In approving the Consent Calendar, your Honorable Commission takes note of receiving this information.

4. Receiving Quarterly Financial Report

This report includes financial information for the period from October 1, 1981, through December 31, 1981. Revenue which accrued to the Peace Officer Training Fund is shown, as are expenditures made from the Fund for administrative costs and for reimbursement to cities, counties, and districts in California.

In approving the Consent Calendar, your Honorable Commission receives the report.

5. Affirming Policy on Basic Course Major Changes

Consistent with Commission instructions, statements of policy at previous Commission meetings are submitted for affirmation by the Commission at a subsequent meeting. This agenda item covers policy statements developed at the October 23, 1981, meeting.

The staff report and complete policy statement is shown under Tab B, covering:

- Major changes - Basic Course Performance Objectives (major changes are brought directly to and approved by the Commission)
- Minor changes - Basic Course Performance Objectives (are made by staff and brought to the Commission for information at the July meeting each year)

In approving the Consent Calendar, your Honorable Commission affirms these policies.

6. Revising Tear Gas Training Requirements for Probation Officers

California county probation officers have been required to complete the same 8-hour chemical agents training course, required of all peace officers described in P.C. Section 830, for purposes of purchasing, possessing, transporting, or using chemical agents. The training required for regular police and sheriffs has been of no value to field probation officers and is not cost effective.

Consent Calendar - cont.

The Board of Corrections has requested the Commission to amend PAM, Section D-7, effective February 1, 1982, to permit probation officers assigned to field functions to complete the DOJ Tear Gas Training Course for Citizens to satisfy the requirements of P.C. Section 12403. The Commission approved a similar request for CYA field parole agents in October 1980.

In approving the Consent Calendar, the Commission approves the changes in PAM, Section D-7, permitting field probation officers described in P.C. Section 830.5 to satisfy the requirements of P.C. Section 12403, by successfully completing the Tear Gas Training for Citizens described in P.C. Section 12403.7.

7. Extending Time For Study On: "Requirements For Further Training For POST Certificate Holders With A Break In Service"

The Commission at the October, 1981, meeting, directed staff to review the issue of need for updated training for POST certificate holders who have a break in service.

Numerous alternatives and additional problems and questions were raised as a result of this review. Issues are described in the staff report under this tab. Since this is a complex issue with many variables, it is recommended that staff continue to study this issue and report findings to the Commission by January, 1983.

In approving the Consent Calendar, your Honorable Commission accepts the enclosed information as a progress report, and approves staff's request for time extension.

8. Approving a Resolution Commending Advisory Committee Member Wayne Caldwell

In approving the Consent Calendar, your Honorable Commission approves a resolution recognizing the service of Wayne Caldwell, a member of the POST Advisory Committee from April 1976 to October 1981.

9. Setting Public Hearing in April - Office of Administrative Law Review

At the October meeting, the Commission formally adopted revised POST Regulations, an action necessitated by recent legislation as administered by the Office of Administrative Law (OAL).

Consent Calendar - cont.

The final report was submitted, as required, to OAL, and subsequently on November 16, 1981, a letter was received from OAL indicating that many of the sections did not meet their review criteria, and they were, therefore, issuing an order to show cause why the regulations in question should not be repealed.

Staff is currently working with OAL to resolve the differences. When resolved, some Regulations and Procedures will need to be brought back to the Commission at its April, 1982 meeting for public hearing.

In approving the Consent Calendar, your Honorable Commission authorizes a Public Hearing on the matter, to be held in conjunction with the April, 1982, Commission meeting.

10. Exceptions To Reading Ability Test Regulation

Since the announcement of the rescinding of the moratorium on the enforcement of the reading regulation, questions have come to staff regarding the following issue: Are individuals who are transferring laterally from one agency to another required to take the reading test? Since success in training was one criterion against which the POST reading test was validated, it appears inappropriate to require POST-certified basic course graduates (or those who have successfully completed the basic course waiver process) to take a reading exam prior to employment.

In approving the Consent Calendar, your Honorable Commission authorizes waiver of POST Regulation 1002(a)(7) for those law enforcement applicants who have previously satisfied basic training requirements.

11. Approving a Report to the Legislature in Compliance with SCR 52 (1980)

Senate Concurrent Resolution 52 of 1980 requires the Commission to adopt a plan of action relating to a study of the training standards for peace officers affected by Penal Code Section 832. The resolution directs the Commission to report back to the Legislature on the action plan which has been adopted.

The Commission is asked to authorize staff to prepare a letter to the Legislature, over the Commission Chairman's signature, outlining the action plan which has been adopted. The plan is described in more detail under this tab.

Consent Calendar - cont.

It is emphasized that no recommendations are being made at this time relating to changes in the current P.C. 832 Course. This report will address only the plan of action which is required by the resolution.

In approving the consent calendar, your Honorable Commission approves submittal of a letter to the Legislature, over the Commission Chairman's signature, outlining the action plan for addressing the training requirements of P.C. 832.

C. PUBLIC HEARING ON COMMISSION PROCEDURE D-11 (Relating To Basic Course Waiver Procedures)

At the October, 1981 meeting, the Commission approved this public hearing to confirm two substantive changes in Procedure D-11. The required notice of public hearing has been advertised and distributed to the field and the Office of Administrative Law (OAL). OAL has advised that action by the Commission should include formal adoption of Procedure D-11 in its entirety. Therefore, the public hearing has been described as involving total adoption of Procedure D-11 with incorporation of the following two substantive changes:

1. Include specialized agency applicants and Level I Reserve Officers in the D-11 Procedures, including fees to be charged for evaluation, examination, and re-examination.
2. Specify a maximum of three years a person has to be hired as a California peace officer from date of completion of a POST-certified Basic Course without having to go through the waiver process to show currency of training. This amends the previous procedure specifying a fixed date of January 1, 1973.

Attachments A and B under this tab show the proposed language of D-11 with incorporation of these changes.

At the conclusion of the Public Hearing, the appropriate action, if the Commission concurs, is a MOTION to adopt revised Commission Procedure D-11 in its totality, with whatever changes may be indicated as a result of public testimony.

D. PUBLIC HEARING: ENTRY OF DISTRICT ATTORNEYS' CRIMINAL INVESTIGATORS AND MARSHALS INTO POST REIMBURSEMENT PROGRAM

Senate Bill 201 has provided eligibility for Criminal Investigators of District Attorneys' Offices to participate in the reimbursement program. Senate Bill 210 has established the same eligibility for Marshals and Deputy Marshals.

Public Hearing - DA Investigators and Marshals - cont.

There are approximately 1000 Marshals/Deputy Marshals and 700 District Attorneys' Investigators potentially eligible to participate in the Reimbursement Program.

Seventeen Marshals' Departments and 36 District Attorneys' Criminal Investigation Units are now participating in the POST Specialized (non-reimbursable) Program. Since 1979, most requirements and conditions for Specialized Program participants are the same as for Regular/Reimbursable Program participants. The key requirements and conditions that differ are:

- Specialized Program participants receive "Specialized Certificates," instead of the regular certificate.
- Specialized Program agencies are allowed 12 months from date of hire to complete basic training of peace officer recruits, rather than the immediate training (subject to a 90-day field training assignment) required in the regular program.
- Specialized Program agencies whose mission is principally investigative may train new officers in a 220-hour Specialized Investigators Course, or the 400 plus-hour Basic Course.

Eligibility of these agencies for the reimbursement program participation requires changes in current regulations. Some of the changes are purely technical. The Substantive issues are summarized below.

Basic Training Standards

Participating Marshals now adhere to the POST Basic Course as their minimum training standard. Because Marshals do not perform general law enforcement patrol and investigative duties, the Basic Course may not be entirely appropriate as the minimum standard. Staff proposes to conduct a job analysis during 1982 and report back to the Commission. In the interim, it is proposed that Marshals continue to adhere to the Basic Course standard.

District Attorneys' Inspectors/Investigators are now allowed to substitute the Specialized Investigators Basic Course for the regular 400-hour Basic Course. Because of the specialized duties of investigators, it is proposed that this option continue for them in the Reimbursement Program.

In addition, it is proposed that basic training for both categories be completed prior to the exercise of peace officer powers, subject to the 90-day Field Training Program exception.

Professional Certificates

It is proposed that Marshals and Deputy Marshals and District Attorneys' Inspectors/Investigators continue to receive Specialized Certificates. The POST Professional Certificate Program is presently being reviewed by staff in an attempt to resolve several areas of concern, including reciprocity of certificates/training/experience, overall value of certificates, appropriateness of current certificates, alternative methods of recognition for the members of the law enforcement profession, potential licensing impact on the Professional Certificate Program, and other issues. Staff review of the Professional Certificate Program should be completed and findings presented to the Commission during 1982. At the conclusion of this study, staff will present recommendations to the Commission regarding the type of certificate appropriate for District Attorneys' Inspectors/Investigators and Marshals.

Policy Issues

Commission regulations require that agencies entering the Specialized Program submit a satisfactory plan for upgrading all currently employed officers to meet POST minimum standards. It is proposed that this requirement be applied as a policy for new entrants to the Reimbursable Program.

A number of Marshals' Departments and District Attorneys' Offices have already submitted appropriate requests and ordinances indicating intent to participate in the Reimbursable Program. Some of those agencies will have officers enrolled in certified courses commencing after January 1, 1982 and prior to the Commission's action to revise regulation allowing reimbursement. Staff proposes that such agencies be admitted, with program entry date retroactive to January 1st.

Analysis of participation of Marshals and District Attorney Investigators is enclosed under this tab along with the proposed Revised Regulations.

Appropriate action, subject to testimony received, would be to approve the following recommendations:

1. Require the 220-hour Specialized Investigators Course or the Basic Course as the standard for District Attorneys' Inspectors/Investigators.
2. Require the regular 400-hour Basic Course as the basic training standard for deputy marshals and initiate a job analysis to determine if a more appropriate training course should be required in the future.

Public Hearing - DA Investigators and Marshals - cont.

3. Issue Specialized Certificates to District Attorneys' Inspectors/Investigators.
4. Issue Specialized Certificates to Marshals and Deputy Marshals.
5. Subject to public hearing input, adopt regulation changes, implementing the above recommendations as well as technical changes.
6. As policy, require agencies entering the reimbursable program to submit a training plan to meet POST training standards for all currently employed officers.
7. Allow reimbursement for training courses beginning on or after January 1, 1982, for eligible agencies whose requests for participation are now pending.

E. PUBLIC HEARING: DELETION OF REGULATION 1004(b) - COLLEGE UNIT REQUIREMENT

At its July 16, 1981, meeting, the Commission approved the Education and Training Task Force recommendation that POST Regulation 1004(b) be eliminated as a condition of continuing employment. The Regulation requires every peace officer to obtain no less than six college/university semester units within 24 months from date of hire.

The Symposium on Professional Issues Task Force on Education and Training concluded that the six-unit requirement was no longer needed because most POST Basic Course presenters presently award six or more units upon completion of the Basic Course. Staff concurs with this view and is also concerned with the validity and enforceability of the regulation were it to remain.

It should be noted that Section 13510(b) of the Penal Code requires POST research concerning job related educational standards. This study and implementation is required by January 1, 1985. If this research supports establishment of college educational requirements, a new standard may be adopted at that time.

Subject to further input at the Public Hearing, the appropriate action, if the Commission concurs, would to be a MOTION to repeal Regulation 1004(b).

F. PEACE OFFICER LICENSING (This Order of Business to be Assigned the Specific Time of 1:30 p.m.)

The Commission, at its last meeting, directed the Legislative Review Committee to explore the issue of peace officer licensing and recommend an appropriate course of action for the Commission to consider at the January 1982 meeting.

Public Hearing - Regulation 1004(b) - cont.

The Committee met on December 15, 1981 and, after discussing the matter, makes the following recommendations to the Commission:

The Commission continue to support the concept of peace officer licensing; however, modify the action taken at the July 16, 1981 Commission meeting to the following:

1. POST be identified as the control agency.
2. Require all peace officers to be licensed.
3. Require completion of a certified POST basic course and/or passage of an appropriate waiver examination as a requisite to licensing.
4. Ensure that the "proficiency test" and the "basic course waiver examination" are separately maintained.
5. Require that the "license" and the current POST certificate program be separately maintained.
6. Set January 1, 1984, as the implementation date to be included in any legislation.
7. Ensure that licensing does not immunize the holder from any locally imposed discipline.
8. Ensure that the POST reimbursement program is not expanded to include new groups, unless additional revenues are allocated sufficient to cover the added costs.
9. Require that there be minimum selection standards.
10. Require that there be minimum training standards, to include a training maintenance program.
11. Require that a license revocation process be included.
12. Require that a fee structure be devised to cover all administrative costs associated with licensing.
13. Require that a criminal penalty clause be a part of any legislation, to ensure sanctions are available for misuse of the license.
14. Require that there be employment, status, and termination reporting to allow for accurate record keeping.
15. Provide for a temporary license program to ensure that agencies can immediately utilize newly appointed peace officers who have met all of the requirements.

Should the Commission act to reaffirm its support of licensing and choose to participate in the development of appropriate legislation, the Committee recommends that an appropriate ad-hoc group of POST Commissioners be appointed to assure that the Commission's concerns and positions are reflected in the draft of any actual legislation. This ad-hoc group would assist in legislation formulation and then participate in several meetings to be held throughout the State for the purpose of assessing field sentiment regarding licensing. The final act of the ad-hoc group would be to provide input to the Commission's Legislative Review Committee, which in turn would recommend whether to support, oppose, or stay neutral on the legislation which may be introduced. A special meeting of the full Commission to receive the report may be necessary.

Because of the Legislative Committee's expression of need for greater input on this issue, a notice was distributed to the field inviting public input at this meeting. It is expected that a number of law enforcement administrators and others will appear to be present for discussion and perhaps testify. For this reason, it is recommended that this item be discussed at 1:30 p.m.

G. CONTRACTS FOR F.Y. 1982/83

At each January meeting, the Commission receives a report on major training and administrative contracts planned for the up-coming fiscal year. These contracts are presented for approval to negotiate and return for final approval at the April, 1982 meeting.

1. State Controller's Office

POST has, for many years, contracted with the State Controller for audits of local agencies receiving POST reimbursements. At this time last year, the Commission approved expenditure of \$80,000 for this purpose. Because of delays by the Controller in completing F.Y. 80/81 audits, the \$80,000 was not expended.

Authority is required to negotiate an agreement with the State Controller in the amount of \$70,000 to conduct local agency reimbursement claim audits for F.Y. 1982-83. It is estimated that this will provide sufficient funds to audit 4 large, 15 medium, and 25 small agencies. Appropriate action would be a MOTION to authorize the Executive Director to negotiate agreement with the State Controller in an amount not to exceed \$70,000.

Contracts - cont.

2. California Peace Officer's Legal Sourcebook

A MOTION was made at the October Commission meeting for the consideration of funding approximately \$350,000 for publication of 50,000 copies of a Peace Officer's Legal Sourcebook being developed by the Attorney General's Office. At the direction of the Commission, staff has studied the proposal, and the Budget Committee has completed a review at its October 1981 meeting.

Interviews were conducted of law enforcement instructors and users of the Arizona Law Enforcement Officer's Manual to determine the resource value of a document similar to the California Sourcebook.

Generally, input from Arizona law enforcement, California Basic Course law instructors, and California basic academy directors has indicated that the Sourcebook could, if properly maintained, be a valuable reference for law enforcement. However, there was little support for distribution of such a document to all peace officers, as proposed.

The Budget Committee recommended that copies of the Sourcebook be supplied to supervisory and command officers in a small, medium, and large agency as a pilot project to be evaluated by staff.

The Budget Committee further recommended that a maximum of 5,000 Sourcebooks be funded at an approximate cost of \$35,000, with expenditures not to exceed the actual cost of the binders and printing. All other costs are to be borne by the Attorney General's Office.

More detailed analyses is included under this tab.

Appropriate action would be for the Commission to act upon the recommendations of the Budget Committee, and if the proposal is approved, authorize the Executive Director to sign documents necessary for implementation.

3. Executive Development Course

This course is currently presented by California State Polytechnic University, Pomona, at a cost of \$47,350 for five presentations.

Course costs are consistent with POST tuition guidelines, and performance of the presenter has been satisfactory. Staff recommends that the contractual agreement for presentation of this course be continued in the 1982-83 Fiscal Year and seeks Commission authorization to negotiate a new contract as follows:

Contract - cont.

Five presentations at a cost not to exceed \$52,100. (This amount allows for an anticipated increase over F.Y. 1981-82 costs due to inflation and other factors consistent with tuition guidelines.) Staff feels that the final amount will be less than this, as in past years.

For information, each Executive Development Course presentation is designed for 20 students. Five presentations will provide for training of 100 persons.

Appropriate action would be a MOTION to authorize the Executive Director to negotiate a contract in an amount not to exceed \$52,100.

4. Management Course

This course is currently budgeted at \$185,066 for 21 presentations by five presenters:

California State University - Humboldt
California State University - Long Beach
California State University - Northridge
California State University - San Jose
San Diego Regional Training Center, San Diego

Course costs are consistent with POST tuition guidelines, and performance by all five presenters has been satisfactory. Staff recommends that contractual agreements be continued with the presenters and seeks authorization to negotiate new contracts for 21 presentations not to exceed a total of \$203,512. This amount allows for some possible increase over F.Y. 1981-82 costs due to inflation and other factors consistent with tuition guidelines.

For information, each Management Course presentation is designed for 20 students. Twenty-one presentations will provide for training of 420 persons.

Appropriate action would be a MOTION to authorize the Executive Director to negotiate contracts, with a total amount not to exceed \$203,512.

5. Department of Justice/POST Interagency Agreement for Training

This is a proposal to continue POST's Interagency Agreement with DOJ for presentation of various training courses during F.Y. 1982/83. Based upon the funding estimate of DOJ, F. Y. 1982/83 costs should not exceed \$591,275. This would be a slight decrease from this year's agreement, which amounted to \$571,000.

Contracts - cont.

For F.Y. 1981-82, DOJ agreed to present 165 presentations of 30 separate courses for a total cost not to exceed \$594,072. This amount was approved for an Interagency Agreement in April 1981. Past experience, and costs to date, indicate DOJ will deliver the training this fiscal year for less than the maximum agreement amount.

During F.Y. 1980-81, the IAA amount was \$571,000, while actual claims by DOJ were only \$503,119. Additionally, \$20,380 was collected by DOJ from out-of-state students as tuition and returned to POST. The net amount cost to the POTF was \$482,739. Approximately the same ratio of expenditure/return to agreement maximums is expected during this fiscal year.

If the Commission concurs, the appropriate action would be a MOTION to authorize the Executive Director to negotiate an Interagency Agreement with DOJ for F.Y. 1982-83 for an amount not to exceed \$591,275.

6. Continuation of POST's Relationship with CPS Regarding the Administration of the POST Training Proficiency Test

Cooperative Personnel Services (CPS), of the State Personnel Board, has been administering the POST Basic Course Proficiency Test for approximately one year. The test is given to all graduates of the POST Basic Course. CPS has demonstrated the ability to efficiently and effectively administer the legislatively mandated test at a cost which is lower than if POST did the actual test administration. Therefore, staff recommends that POST continue to contract with CPS for the services during F.Y. 1982-83. The amount of the contract will not exceed \$26,000. The F.Y. 1981-82 contract is \$20,545. The estimated increase will allow for an approximately 10 percent inflation increase and an approximate 15 percent increase for additional test administration services, which will aid POST in test item development.

Appropriate action would be a MOTION to authorize the Executive Director to negotiate an Interagency Agreement in an amount not to exceed \$26,000.

H. CALIFORNIA LAW ENFORCEMENT COMMAND COLLEGE

This report is brought to the Commission for preliminary review of a command college concept. This assignment was initiated by the Commission as a result of a desire to give greater emphasis and coordination to management and executive training. Support for the concept of a command institute had also been expressed by the field.

Command College - cont.

While the values of higher quality and better-directed training are important and stand on their own, there was also an underlying, perhaps unarticulated, value to which a command institute would give expression. That value is founded in the sense that we, in law enforcement work, must do better. Not content to rest indefinitely on the present high plateau, we must find the means and will to elevate law enforcement to ever higher levels in both a quantum and sustained manner.

The power to accomplish this is within the law enforcement community. Past achievements have come from within the profession. What is needed is an instrumentality to mobilize and stimulate the profession to move toward its highest capabilities.

The thrust of this narrative is to envision the instrumentality which will not only meet law enforcement management and executive training in an excellent and exemplary manner, but will do more. It will be a presence and state of mind serving as a constant resource of reference and learning for leaders in law enforcement. Under its auspices, executives will meet to develop their skills and to improve upon principles, purposes, processes, and techniques of law enforcement in its social and political setting. It will synergistically enhance the body of knowledge of law enforcement management. It will institutionalize programs in leadership by bringing to bear the best resources from all appropriate disciplines.

This report is only a beginning. There are many practical problems, including possible legislative clearances. These can likely be handled if the vision is correct and the will is there. It should be noted that everything in this report is preliminary. In fact, suggestions are still needed for a suitable name which will capture the essence of its loftiest purposes.

The Long-Range Planning Committee reviewed and discussed the concept of a Law Enforcement Command College at its December 1981 meeting. As a result of this discussion, the Committee recommends the following to the Commission:

1. The concept of a "Law Enforcement Command College" be fully endorsed by the Commission.
2. The Commission's Long-Range Planning Committee continue to be assigned to review and oversee the matter, and that study include field visits to similar programs located both in this country and abroad.

Command College - cont.

3. That an accelerated action plan be developed.

The Committee also asked that the concept be reviewed by the Advisory Committee. This will have already been done by the time of the Commission meeting.

The appropriate action of the Commission would be a MOTION approving the Long-Range Planning Committee recommendations.

I. TASK FORCE REPORT ON CONTINUING EDUCATION
(SUPERVISORY/MANAGEMENT)

As directed of the Commission, the Long-Range Planning Committee has reviewed the recommendations of the Task Force on Continuing Education (Supervisory/Management) and is recommending the following Commission action:

1. Initial Training Requirements: The Task Force recommends that POST Regulation 1005(b) and (c) be amended to require successful completion of certified supervisory and management courses prior to promotion, transfer, or appointment to a supervisory or management position.

This recommendation was modified by the Professionalization Coordinating Committee to require successful completion of the course prior to or within six months of the promotion. Current regulations require it within one year.

Long-Range Planning Committee (LRPC) Recommendation:

Approve the recommendation as modified by the Professionalization Coordinating Committee and prepare for Public Hearing.

2. Supervisory/Management Update: The Task Force recommends that POST Regulation 1005(b) and (c) be amended to require supervisors and managers to successfully complete certified supervisory and management update courses, of 24 hours or more, at least once every 24 months after promotion.

LRPC Recommendation:

Approve but delete specific hours and time constraints pending further review of needs and costs, and prepare for Public Hearing.

3. Administrators Course: The Task Force recommends that an Administrators Course be developed by POST for upper-level management positions.

Task Force on Continuing Education - cont.

LRPC Recommendation

Approve and address as part of the overall review of supervisory, management, and executive training already in progress.

4. Supervisory and Management Course Curricula: The Task Force recommends that a thorough study be conducted by POST to redesign the supervisory and management course curricula into learning goals and performance objectives and to modularize the subject matter and make it more relevant.

LRPC Recommendation

In view of the fact that this is already being addressed, no action is required at this time.

5. Adequate Performance Objective Testing: The Task Force recommends that POST exercise more quality control over certified supervisory and management courses by developing appropriate testing processes and assuring that such tests are properly administered.

LRPC Recommendation

Approve and direct staff to develop testing processes which ensure the course objectives have been met.

6. Instructor Development: The Task Force recommends that POST publish an "Instructor's Handbook" on methods of presentation for use as a guide by instructors and training institutions.

LRPC Recommendation

Approve with the following changes in wording: "POST develop specifications on methods of instruction for use as a guide by instructors and training institutions."

7. Improved Quality Control: The Task Force recommends that POST staff conduct on-site course audits to evaluate instructors and report the results to course presenters.

LRPC Recommendation

Direct POST staff to use a variety of methods to increase quality control, including on-site course audits.

Task Force on Continuing Education - cont.

8. Training vs. Education: The Task Force recommends that a committee be established to work with the Chancellors of the Community College system and State University and College system to develop relevant upper division courses or degree programs for the police service.

LRPC Recommendation

Acknowledge the need and pass the concern on to the appropriate educational authorities.

Appropriate action would be a MOTION to approve the committee's recommendation and authorize staff to commence work on implementation.

J. LEGISLATIVE REVIEW COMMITTEE

A report on the Committee's recommendations resulting from its December 15 meeting will be presented by the Committee Chairman, Robert Edmonds.

K. ADVISORY COMMITTEE REPORT

The Chairman of the Advisory Committee will report on the January 21, 1982, meeting of the Advisory Committee and other Advisory Committee business.

L. PRIVATE SECURITY BATON TRAINING

Confusion exists in the private security industry regarding which training institutions can legitimately present baton training to private security personnel. This confusion has created serious legal problems. Some security guards have been arrested when they could not provide satisfactory proof of proper training.

Penal Code Section 12002(b), effective January 1, 1976, permits private security guards to carry batons if they have been trained in a course which has been approved by POST. In April 1976, the Commission approved a staff-developed course outline for private security baton training. Courses were certified from April 1976 to October 1978, at which time the Commission amended PAM, Section D-7. Amendment of Procedure D-7 served to remove POST from security guard training course certification. In lieu of certification, the Commission substituted a blanket designation of existing public presenters of POST-certified training. The Commission was concerned with the amount of staff time that may have been devoted to security guard training.

Baton Training - cont.

The effect of the amendment on Security Guard Baton Training was significant. Without specific certification requirements, numerous private presenters, using the POST-approved curriculum, began advertising and presenting the course to private security personnel. With the course announcement captioned, "POST-Approved," hundreds of persons were trained in courses not having the Commission's official sanction.

Currently, no state agency attests to the quality of baton course presentations or maintains records of those presenting training. The Department of Consumer Affairs has responsibilities in related areas but is not empowered to certify and control baton training. They refer inquiries and complaints to POST.

In years past, legislation to shift responsibility from POST to Consumer Affairs has failed passage. It is understood that such legislation will be attempted again this year.

In the meantime, it seems advisable for the Commission to reassess its current position on certification of baton training security guards. Alternatives that may be considered are:

- o Change the language of PAM, Section D-7 to allow staff to certify qualified public or private trainers to present Security Guard Baton Training Courses.
- o Change the language of PAM, Section D-7 to delete any requirement for designation of approved presenters and approve the curriculum only. Users would be responsible for determining quality and expertise of trainers.

The matter is presented to the Commission for review and policy direction to staff. Additional analysis is included under this tab.

If the Commission concurs, the most appropriate action would be a MOTION that Commission Procedure D-7 be amended to allow staff to certify qualified presenters of Security Guard Baton Training.

M. OLD/NEW BUSINESS

1. Correspondence

N. DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS

February 24, 1982, Workshop Session, Holiday Inn - Holidome
Sacramento
April 15, 1982, Flamingo Hotel, Santa Rosa
July 15, 1982, Bahia Hotel, San Diego (Joint Meeting with
POST Advisory Committee)
October 21, 1982, Sacramento
January 28, 1983, San Diego

O. ADJOURNMENT



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

7100 BOWLING DRIVE, SUITE 250
SACRAMENTO, CALIFORNIA 95823

October 23, 1981
Holiday Inn, Sacramento

COMMISSION MEETING MINUTES

The meeting was called to order at 10:15 a.m. by Chairman Trives. A calling of the roll indicated a quorum was present.

Commissioners Present:

Nathaniel Trives	- Chairman
Jay Rodriguez	- Vice-Chairman
Al Angele	- Commissioner
Robert Edmonds	- Commissioner (late due to fog)
Jacob Jackson	- Commissioner
William Kolender	- Commissioner
Richard Pacileo	- Commissioner
John Van de Kamp	- Commissioner
Robert Vernon	- Commissioner
Joe Williams	- Commissioner
Rod Blonien	- Attorney General Representative

Commissioner Absent:

Joe Trejo - Excused due to illness

Also Present:

Barbara Ayres, Chairperson, POST Advisory Committee, representing the Women Peace Officers' Association

Staff Present:

Norman Boehm	- Executive Director
Glen Fine	- Deputy Executive Director
Don Beauchamp	- Assistant to the Executive Director
Ron Allen	- Chief, Field Services
Beverly Clemons	- Associate Management Analyst
John Davidson	- Chief, Administrative Services
Gene De Crona	- Chief, Training Delivery Services
Everitt Johnson	- Senior Consultant
Bradley Koch	- Chief, Information Services
John Kohls	- Chief, Standards & Evaluation Services
Holly Mitchum	- Consultant
Ted Morton	- Chief, Training Program Services
Julie Osborn	- Associate Personnel Analyst
George Williams	- Chief, Management Counseling Services
Brooks Wilson	- Senior Project Coordinator
Nancy Applegate	- Secretary
Imogene Kauffman	- Executive Secretary

Visitors Roster

Dave Allan	-	Office of the Attorney General
I. E. Betts	-	Sierra Madre Police Department
Roger Binkley	-	Redwood City Police Department
Russ Desmond	-	Department of Health
Herbert Hoover	-	Department of Justice Training Center
Richard Klapp	-	San Francisco Police Department
Mark Nitikman	-	Legislative Analyst's Office
Mike O'Kane	-	Sacramento Police Department
Jack Pearson	-	Peace Officers' Research Association of Cal.
Otto Saltenberger	-	Consumer Affairs, Division of Investigation

INTRODUCTIONS

A. APPROVAL OF MINUTES

MOTION - Rodriguez, second - Vernon, carried unanimously to approve the minutes of the regular quarterly Commission meeting July 16, 1981, in San Diego, California.

B. CONSENT CALENDAR

MOTION - Jackson, second - Williams, carried unanimously to approve the Consent Calendar items as follows:

1. Receiving Course Certification/Decertification Report
2. Receiving Information on New Entries Into Regular Program
 - a. Cabrillo Community College District Police
 - b. Peralta Community College District Police
3. Receiving Financial Report

This report included information for the period from July 1, 1981, through September 30. Reimbursements for the first three months of the 1981/82 F.Y. totaled \$2,189,509. Total revenue for July and August equaled \$2,585,333. September revenue had not yet been received from the Controller's Office at the time the report was presented.

A chart showing reimbursements by category is made Attachment "A" of these minutes.

4. Rescinding Vehicle Accident Report Requirement

Because of the integration of the driver training program into the Basic Course, there is no longer a need to require these records. The field will be advised that it is no longer required that they maintain police vehicle accident records as was outlined in POST Bulletin 78-15.

Consent Calendar - cont.

5. Reappointing Two Advisory Committee Members

Two terms of Advisory Committee members expired in September, 1981, and were before the Commission for reappointment:

Chief Larry Watkins - CHP

J. Winston Silva - Community Colleges

6. Adopting a Resolution Commending Edwin Meese, III

A Resolution commending Edwin Meese, III, who serves as a member of the Commission's Advisory Committee. Mr. Meese has contributed significantly to the improvement of law enforcement and now serves as Counselor to the President of the United States.

7. Approving a Resolution Commending Gerald Townsend

A Resolution commending Gerald Townsend for his 12 years of service to POST.

C. PUBLIC HEARING TO REVIEW POST REGULATIONS CONSISTENT WITH OFFICE OF ADMINISTRATIVE LAW REQUIREMENT

A Public Hearing was held to adopt the amendments to the POST Regulations recommended by the Commission at the April, 1981, meeting. The amendments were the result of the review process required by Government Code 11349.

No testimony was received from the audience.

MOTION - Pacileo, second - Jackson, carried unanimously to adopt the amended POST Regulations as proposed.

D. PUBLIC HEARING - COMMISSION PROCEDURE D-11: WAIVER OF ATTENDANCE OF A POST CERTIFIED COURSE

At its July 1981, meeting, the Commission adopted new Procedure D-11 establishing guidelines for determining equivalent training for already-trained peace officers as required by Penal Code 13511. This revised procedure is in effect; however, the Commission scheduled a public hearing to receive testimony that could cause the Commission to further amend the procedure. No oral testimony was presented.

Written testimony was received from the California Association of Police Training Officers (CAPTO), and Addenda "A" and "B" were added to the proposed amendments to respond to CAPTO's concerns regarding Section 11-4(a), Training Evaluation Process, and Section 11-9, Retraining as an alternative to POST retesting on failed modules.

Public Hearing: Commission Procedure D-11 - cont.

In reviewing proposed amendment to D-11-4(a), Commissioner Van de Kamp asked for clarification of the proposed text of D-11-4(a). Commissioners Van de Kamp and Vernon suggested more concise wording of this section, as follows:

D-11-4(a): To qualify for an evaluation of prior training, the individual must have successfully completed 400 hours of specific training, at least 200 hours of which must be successful completion of a basic general law enforcement training course. Such training must have been certified or approved by California POST or a similar standards agency of another state, a California reserve course, or a federal agency general enforcement basic course. Additional law enforcement training or college/university courses in the specific subjects may be considered to complete the remainder of the required 400 hours. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.

Commissioner Jackson requested discussion regarding the requirement that a person be retested following retraining. It was agreed to amend the Procedures where necessary to require a test be given by the presenter after completion of the retraining course. A suggestion by Commissioner Vernon addressed this concern by omitting proposed Section 11-9(c) and adding the words "the required" to section 11-9(b), amending this proposed section to read:

D-11-9(b): Verification of satisfactory completion of the required hours and specified subject, including the required testing, submitted to POST within 180 days from the original examination date will serve to satisfy the retraining requirement of the failed modules.

D-11-9(c): Omit

MOTION - Van de Kamp, second - Vernon, carried unanimously, to adopt the proposed amendments to Procedure D-11-4 (a) and D-11-9 (b) as stated above.

There was Commission consensus for approval of the revised definition of "under consideration for hire" as follows:

An individual is under consideration for hire when POST receives a statement from an agency head attesting to the fact that the agency has accepted an employment application from the individual and that the individual is under consideration for hire.

E. ADDITIONAL ITEMS RELATING TO WAIVER OF ATTENDANCE OF POST-CERTIFIED BASIC COURSE: FEES AND 3-YEAR TIME FRAME

Two additional items related to Commission Procedure D-11, Waiver of Attendance of a POST-Certified Basic Course, were presented to the Commission for Policy decision.

1. Charging of Fees

MOTION - Jackson, second - Angele, carried unanimously for adoption of the following option:

To be equitable to all agencies and individuals requesting a waiver of the required course of training, and to provide consistency in policy, the same criteria (including fee) should be applied for all such requests. The inclusion of reserve peace officers and specialized agency peace officers in the provisions of PAM Section D-11 would provide for this equity and consistency.

This policy would establish that the same fees would be charged for all waiver requests regardless of category of agency or peace officer assignment.

Further, this matter is to be set for public hearing at the January 28, 1982, Commission meeting.

2. Time Frame for Continue Acceptance of Certified Training

MOTION - Van de Kamp, second - Angele, carried unanimously for adoption of the recommendation to abolish the fixed date of January 1, 1973, and approve that the certified Basic Course be honored for a maximum time period of three years for persons not continuously employed and certificated.

Further, this matter is to be set for a public hearing at the January 28, 1982, Commission meeting.

MOTION - Van de Kamp, second - Pacileo, carried unanimously that staff do a study and report back at the January meeting as to the status requirements for further training for those who receive certificates if there has been a break in service.

F. 1982/83 BUDGET CHANGE PROPOSALS - BUDGET COMMITTEE REPORT

Commissioner Vernon, Chairman of the Budget Committee, reported that the Committee had met in Los Angeles on September 10 and approved the five Budget Change Proposals (BCP's) presented. Each BCP was reviewed individually by the Commission, and the following action was taken, in this order:

BCP No. 3 - Use of Video as a Training Medium

MOTION - Vernon, second Kolender, motion carried (Rodriguez abstaining) to tentatively approve the BCP for use of video as a training medium but to have the BCP reworked by staff and brought back to the Budget Committee before Thanksgiving. Further, any portion of the amount of \$295,477 that is expended must be approved by the Budget Committee.

BCP No. 1 - Selection Standards Research Required
by 13510 P.C.

MOTION - Blonien, second Jackson, carried unanimously to approve the BCP for selection standards research required by 13510 P.C. for no more than \$329,143, but this BCP should be sent back to the Budget Committee to see if it can be cut back.

BCP No. 2 - Establishment of a Basic Training Test
Item Bank

BCP No. 4 - Conversion of Key Data Operators from Contract
to Authorized Positions

BCP No. 5 - Salary Reimbursement Maintenance

MOTION - Kolender, second - Angeles, carried unanimously for approval of BCP's 2, 4, and 5 as presented.

G. POST PROFICIENCY TEST REPORT

John Kohls reported that staff analysis of the program revealed that a majority of the test items are acceptable from relevance, statistical and measurement standpoints. However, academy administrators have not been receiving sufficiently detailed and descriptive information regarding test results.

Proficiency Test Report - cont.

For that reason, a feedback report was designed and presented to the Commission.

MOTION - Pacileo, second - Williams, carried unanimously to accept the report.

H. REGULATION 1002 (a) (7), READING ABILITY STANDARD:
LIFTING MORATORIUM

MOTION - Pacileo, second - Angele, carried unanimously to lift the moratorium and enforce the reading ability standard beginning January 1, 1982.

I. MANAGEMENT COURSE REVISION

MOTION - Kolender, second - Williams, carried unanimously for approval of the proposed learning goals as the required subjects for the mandated Management Course and accordingly, the necessary revisions to Commission Procedure D-4, as presented and made Attachment "B" of these minutes.

J. UPDATING BASIC COURSE CURRICULUM

MOTION - Van de Kamp, second - Angele, carried unanimously for approval of the following recommendations:

1. Adopt a policy of approving major changes of Basic Course performance objectives before their implementation.
2. Approve the specific changes to performance objectives related to report as set for in Attachment "C" of these minutes.

K. TUITION GUIDELINES - RECOMMENDED CHANGES

MOTION - Kolender, second - Pacileo, carried unanimously for approval of changes in Tuition Guidelines as set forth in proposed amended Procedure D-10, Attachment "D" of these minutes.

Specific recommended changes were:

1. On those limited occasions where it may be necessary to obtain special expertise to provide executive level training, the maximum \$62 per instructional hour may be exceeded upon prior approval of the Executive Director.
2. Development costs would be changed to \$15 for each certified hour from \$15 per hour for each of the first 40 certified course hours and \$7.50 per hour

Tuition Guidelines - cont.

maximum for the remainder of the certified course hours. This change will not be significant but will allow for a more equitable manner of providing for development costs.

3. Other minor, non-substantive changes that have been made for consistency in format and for clarity in language.

L. TASK FORCE ON RETENTION STRATEGIES - LONG-RANGE PLANNING COMMITTEE REPORT

The Professionalization Coordinating Committee received and approved the report from the Task Force on Retention Strategies. The Commission received the report at the July Commission meeting and referred it to the Long-Range Planning Committee. The Committee met during luncheon recess to review the report. The Long-Range Planning Committee's recommendations are stated following the Professionalization Coordinating Committee's recommendations:

1. It is recommended that POST assume responsibility for gathering attrition data from local agencies on an ongoing basis for the purpose of monitoring police attrition. This information should be disseminated to all agencies annually.

Long-Range Planning Committee: Approve this recommendation with the stipulation that this information be in summary form and provided only upon request of a law enforcement agency; lateral mobility patterns as stated in recommendation No. 4 are to be addressed in this study.

2. It is recommended that POST develop a regionalized concept of written testing and physical agility, and the development of an eligible list should be explored and implemented. Such lists should be utilized in association with qualification appraisal panels of individual agencies.

Long-Range Planning Committee: Direct staff to develop and conduct a pilot program in an appropriate region or county.

3. It is strongly recommended that POST establish, as a minimum standard, the requirements and appropriate minimum passing level for reading and writing tests developed by POST.

Long-Range Planning Committee: Staff continue to address the issue of a reading standard and other potential causes of attrition as identified in the attrition study mentioned in recommendation No. 1, and that a minimum reading standard be determined and imposed within 24 months.

Long-Range Planning Committee Report - cont.

4. It is recommended that lateral mobility should not specifically be encouraged or discouraged, but should be open as an option for individual agencies. POST, in connection with its study of attritional data, should analyze lateral mobility through its computerized data bank to determine its implications and impact over the next ten years.

Long-Range Planning Committee: This is to be included in recommendation No. 1, as stated.

5. Long-Range Planning Committee: POST is to publish the Task Force Report and make it available on request.

MOTION - Vernon, second - Angele, carried unanimously for adoption of the Long-Range Planning Committee's recommendations as revised.

M. TASK FORCE ON CONTINUING EDUCATION & TRAINING - GROUP I SUPERVISION & MANAGEMENT - REFER TO LONG-RANGE PLANNING COMMITTEE

MOTION - Kolender, second - Jackson, carried unanimously that the report of the Task Force on Continuing Education and Training, Group I, and the recommendations of the Professionalization Committee be referred to the Long-Range Planning Committee for review and recommendations to be presented to the Commission at the January 21, 1982, meeting. *

N. LEGISLATIVE REVIEW COMMITTEE

In the absence of Committee Chairman Edmonds, Don Beauchamp presented a status report of legislation being followed by POST.

O. ORGANIZATIONAL AND PERSONNEL POLICIES COMMITTEE

Commissioner Jackson, Chairman of the Organizational and Personnel Policies Committee, reported on the Committee's proposed recommendations on three issues as follows:

1. Appointments of Members to the Advisory Committee

MOTION - Jackson, second - Williams, carried unanimously for approval of the revised policy procedure regarding service and appointments of Advisory Committee members. The revised policy, as adopted, is made Attachment "E" of these minutes.

* This report was later assigned to the Advisory Committee for review. See agenda item P. on p. 8.

Organizational and Personnel Policies Committee - cont.

2. Role of the POST Advisory Committee

MOTION - Kolender, second - Williams, carried unanimously for approval of the Organizational and Personnel Policies Committee to reaffirm the present role of the Advisory Committee that was adopted by the Commission October 25, 1979, made Attachment "F" of these minutes.

3. Executive Director's Salary

MOTION - Rodriguez, second - Angele, carried unanimously for approval of the Organizational and Personnel Policies Committee recommendation to approve the drafted letter to Martin Morgenstern, Director, Department of Personnel Administration, seeking a consideration of a salary increase for the Executive Director of POST.

P. ADVISORY COMMITTEE

Barbara Ayres, Chairperson of the Advisory Committee, reported that the Advisory Committee met on October 8, 1981, in San Mateo. POST staff provided update on several projects. They also received a briefing on the organizational and personnel policies of the Commission as they relate to the Advisory Committee. The Advisory Committee would like the Commission to know that they feel their role as advisory is important to Commission action and want to reaffirm their commitment to that role.

In answer to the question if the talent on the Advisory Committee was being utilized, Chairperson Ayres responded that possibly they are not being used as much as they could be, especially in relation to professional issues such as on numerous task forces, PORAC and CPOA boards. The Advisory Committee would like to see the recommendations first and provide some input. They do not have an opportunity to give these recommendations to their constituents prior to the Commission making decisions.

Chairman Trives, as Commission Chairman and Chairman of the Professionalization Coordinating Committee, appointed Barbara Ayres as the Advisory Committee representative on the Professionalization Coordinating Committee.

Commissioner Van de Kamp suggested it might be entirely appropriate for the Advisory Committee to present to the Commission items for the Commission's review. The Executive Director stated it would be helpful to have Advisory Committee meetings a week or so before the Commission meetings for purposes of briefing. If they want to have input before the agenda is finalized, more time would have to be allowed.

Advisory Committee - cont.

MOTION - Vernon, second - Pacileo, carried unanimously that the Advisory Committee review and give the Commission their reaction to the recommendations from the report of the Task Force on Continuing Education and Training, Group I, when they come before the Commission at the January Commission meeting. Further, if there is any reaction from the Advisory Committee on any item on Commission agendas, it is to be included behind the appropriate agenda tab at Commission meetings.

Q. SPECIALIZED LAW ENFORCEMENT REPRESENTATION ON THE POST ADVISORY COMMITTEE

The current representative of specialized law enforcement on the Advisory Committee was nominated by the former bargaining agency for state specialized law enforcement (C.S.E.A.). With the recent bargaining unit determination elections, state specialized law enforcement is now represented by the Coalition of Associations of Unions and State Employees (CAUSE). Correspondence was received from CAUSE requesting that their representative, Mike Sadleir, Fish and Game Warden, be appointed to the Advisory Committee in place of CSEA's representative, Wayne Caldwell.

MOTION - Angele, second - Kolender, motion carried (Noes: Pacileo, Van de Kamp, and Vernon) to approve the request by CAUSE for appointment of Mike Sadleir, Fish and Game Warden, to represent specialized law enforcement on the Advisory Committee, replacing Wayne Caldwell, the CSEA nominee.

It was stated by the Chairman that, based on present policy, this matter appropriately should have gone to the Organizational and Personnel Policy Committee for a recommendation to the Commission.

R. AMENDMENT OF PAM, PROCEDURE D-9, FIELD MANAGEMENT TRAINING

A change in procedure was proposed to increase the scope of the Field Management Training program to include visits to exemplary programs in other organizations as appropriate (for example, military and private sector organizations) when benefit to law enforcement processes can be served.

MOTION - Vernon, second - Pacileo, carried unanimously, to adopt the proposed amendment of Procedure D-9, effective January 1, 1982.

S. DATA PROCESSING CONTRACT AUGMENTATION

MOTION - Jackson, second - Van de Kamp, carried unanimously, to authorize the Executive Director to augment the contract with the Department of General Services for the services mentioned in an amount not to exceed \$36,000. Any monies previously authorized by the Commission for this purpose and unspent by December 31, 1981, will be applied to reduce the contract amount accordingly.

T. OLD/NEW BUSINESS1. Professionalization Coordinating Committee

The Professionalization Coordinating Committee met on September 3, 1981. In addition to receiving the report from the Task Force on Continuing Education and Training, Group I, they reviewed and reconciled position differences on the recommendations which had previously been submitted to POST, CPOA, and PORAC policy-making bodies. All three groups have reached agreement on all 17 recommendations with the exception of one of the elements of licensing legislation.

MOTION - Angele, second - Jackson, carried unanimously that all elements of licensing be considered by the Commission's Legislative Committee.

2. Correspondence

- a. A response from Jeffrey Harris, Executive Director, Attorney General's Task Force on Violent Crime, U. S. Department of Justice, Washington, D.C.
- b. A letter from Roger Moulton, Chief of Police, city of Montclair, commending the quality of the Law Enforcement Executive Seminars.

3. New Business: Attorney General's California Peace Officers' Legal Sourcebook

Rod Blonien, Attorney General's Representative on the Commission, presented a description and list of chapter titles of the California Peace Officers' Legal Sourcebook which the Attorney General is committed to develop, publish, distribute, and maintain. The development of the document is in progress and expected to be ready for publication prior to the end of F.Y. 1981/82. The issue is how the initial publication of 50,000 copies will be funded. General Fund money is not available. It is being requested that it be funded from the P.O.T.F.

It is estimated that the publication costs for 50,000 copies would be approximately \$350,000.

New Business - cont.

MOTION - Pacileo, second - Jackson, carried unanimously that the request that the California Peace Officers' Legal Sourcebook publication be funded from the P.O.T.F. be referred to POST staff for research, to POST Budget Committee and the POST Advisory Committee for review and recommendations to the Commission at its January 21, 1982, Commission meeting.

U. DATES AND LOCATIONS OF FUTURE COMMISSION MEETINGS


MOTION - Angele, second - Blonien, carried unanimously that there be a general working session of the Commission the second or third week of February, 1982. This meeting is to start on Wednesday, stay overnight and adjourn on Thursday. The theme will be a general show-and-tell by staff on where they are on programs.

Regular quarterly meetings are scheduled as follows:

January 28, 1982, Kona Kai Club, San Diego
 April 15, 1982, Flamingo Hotel, Santa Rosa
 July 15, 1982, Bahia Hotel, San Diego
 October 21, 1982, Sacramento

V. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 2:30 p.m.


 Imogene Kauffman
 Executive Secretary

MONTH <u>September</u>										State of California		Department of Justice			
FISCAL YEAR <u>1981-82</u>										COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 7100 Bowling Drive, Sacramento, CA 95823					
Code	COURSE CATEGORY		Resident Subsistence	%	Commuter Meal Allowance	%	Travel	%	Tuition	%	Salary	%	TOTAL	%	
A	BASIC COURSE	Total this Month	72,958.26		13,111.90		20,783.43		51,395.00		531,066.97		689,315.56		
		Previous Months	121,276.93		11,462.98		28,989.45		31,747.50		323,968.90		517,425.76		
		Total to Date	194,235.19	16	24,574.88	02	49,772.88	04	83,142.50	07	855,035.87	71	1,206,741.32	55	
C	ADVANCED OFFICER COURSE	Total this Month	3,073.79		374.34		1,186.18				12,171.80		16,806.11		
		Previous Months	11,267.88		1,992.34		4,229.41				156,364.51		173,854.14		
		Total to Date	14,341.67	08	2,366.68	01	5,415.59	03			168,536.31	83	190,660.25	09	
D	SUPERVISORY COURSE (MANDATED)	Total this Month	6,472.69		864.28		2,118.67				9,930.01		19,385.65		
		Previous Months	8,818.90		700.77		2,394.31				12,037.43		23,951.41		
		Total to Date	15,291.59	35	1,565.05	04	4,512.98	10			21,967.44	51	43,337.06	02	
G	SUPERVISORY SEMINARS AND COURSES	Total this Month			186.00		28.86		1,995.00				2,209.86		
		Previous Months	1,160.64		316.85		921.43		2,940.00				5,338.92		
		Total to Date	1,160.64	15	502.85	07	950.29	13	4,935.00	65			7,548.78	0	
E	MANAGEMENT COURSE (MANDATED)	Total this Month	1,032.72		100.00		414.48				1,056.00		2,603.20		
		Previous Months	7,605.09		222.10		2,555.52				5,960.03		16,542.74		
		Total to Date	8,637.81	45	322.10	02	2,970.00	16			7,016.03	37	19,145.94	01	
H	MANAGEMENT SEMINARS AND COURSES	Total this Month	11,838.88		256.46		2,972.52		1,562.50				16,630.36		
		Previous Months	17,711.03		531.65		5,445.12		9,328.00				33,015.80		
		Total to Date	29,549.91	59	788.11	02	8,417.64	17	10,890.50	22			49,646.16	02	
F	EXECUTIVE DEVELOPMENT COURSE	Total this Month	424.00				291.52						715.52		
		Previous Months	880.00				206.07						1,086.07		
		Total to Date	1,304.00	72			497.59	28					1,801.59	0	
I	EXECUTIVE SEMINARS AND COURSES	Total this Month			17.59		113.40		276.00				406.99		
		Previous Months	1,440.55		433.88		1,790.23		7,394.00				11,058.66		
		Total to Date	1,440.55	12	451.47	04	1,903.63	17	7,670.00	67			11,465.65	01	
J	JOB SPECIFIC COURSES	Total this Month	26,763.75		2,338.99		7,847.63		11,010.00		56,915.53		104,875.90		
		Previous Months	78,507.06		3,876.13		26,012.82		18,542.25		60,626.50		187,564.76		
		Total to Date	105,270.81	35	6,215.12	02	33,860.45	12	29,552.25	10	117,542.03	40	292,440.66	13	
K	TECHNICAL SKILLS AND KNOWLEDGE COURSES	Total this Month	47,788.91		1,948.97		17,683.98		18,135.00				85,556.86		
		Previous Months	135,942.63		4,278.52		52,673.36		43,702.50				236,597.01		
		Total to Date	183,731.54	57	6,227.49	02	70,357.34	22	61,837.50	19			322,153.87	15	
L	FIELD MANAGEMENT TRAINING	Total this Month	410.68				643.91						1,059.59		
		Previous Months	2,190.30		16.50		1,458.35						3,665.15		
		Total to Date	2,600.98	55	16.50	0	2,102.26	45					4,724.74	0	
M	TEAM BUILDING WORKSHOPS	Total this Month	5,976.98		115.50		638.36		10,350.00				17,080.84		
		Previous Months	4,718.84				586.81		6,187.50				11,493.15		
		Total to Date	10,695.82	37	115.50	0	1,225.17	05	16,537.50	58			28,573.99	01	
N	POST SPECIAL SEMINARS	Total this Month	1,194.59		32.50		1,248.13						2,475.22		
		Previous Months	6,446.64		120.00		5,268.89						11,835.53		
		Total to Date	7,641.23	53	152.50	01	6,517.02	46					14,310.75	01	
O	APPROVED COURSES	Total this Month			90.39		54.60						144.99		
		Previous Months	212.44				50.25						262.70		
		Total to Date	212.44	52	90.39	22	104.85	26					407.69	0	
TOTAL FOR MONTH			177,935.79		19,475.97		56,020.67		94,723.90		611,146.31		959,266.69		
TOTAL FOR PREVIOUS MONTHS			398,318.91		23,951.72		132,962.02		119,841.79		558,967.37		1,218,191.80		
GRAND TOTAL TO DATE			576,254.70	29	43,427.69	02	188,982.69	09	214,565.69	10	1,170,113.68	53	2,197,458.49	10	

* Revised:
~~January 1, 1981~~
January 1, 1982

Training

MANAGEMENT COURSE

Purpose

4-1. Specifications for the Management Course: This Commission Procedure implements that portion of the Minimum Standards for Training established in Section 1005 (c) of the Regulations for Management Training.

Content

4-2. Management Course: The Management Course is a minimum of 80 hours and consists of the ~~performance objectives enumerated in the document, "Final Report on Revision of the Supervisory and Management Courses".~~ learning goals adopted in the revision completed in October, 1981. In order to meet local needs, flexibility in curriculum may be authorized with prior POST approval. The POST Management Course ~~Performance Objectives~~ Learning Goals are organized under the following broad topic areas:

~~Administrative Management~~
~~Personnel Evaluation~~
~~Media/Community Relations~~
~~Behavioral Science~~
~~Internal Communications~~

Management Roles and Responsibility
Personnel Management Skills
Leadership Styles and Decision Making
Organization and Manager Development
Legal Responsibilities

PROPOSED CHANGES TO PERFORMANCE OBJECTIVES
RELATED TO REPORT WRITING

5.3.0 INTRODUCTION TO REPORT WRITING

(same)

Learning Goal: The student will have a basic understanding of report writing.

Performance Objective(s)

(revised)
80%

5.3.1 The student will identify the following uses of police reports:

- A. Record facts into a permanent record
- B. Provide coordination of follow-up activities and investigative leads.
- C. Provide basis for prosecution
- D. Provide a source for officer evaluation
- E. Provide statistical data
- F. Provide reference material

(formerly
80% 5.4.1,
revised)

5.3.2 The student will identify the following characteristics as essential to a good report:

- A. Accuracy
- B. Conciseness (formerly "Brevity")
- C. Completeness
- D. Clarity
- E. Legibility
- F. Objectivity
- G. Grammatically Correct (new)
- H. Correct Spelling (new)

(should
be defined
in Unit
Guides)

(formerly
80% 5.4.2,
revised)

5.3.3 The student will identify the following questions as those that should be answered by a complete report:

- A. What Who
- B. Who What
- C. When When
- D. Where Where
- E. How Why
- F. Why How

(re-ordered)

5.4.0 REPORT WRITING MECHANICS

(same)

Learning Goal The student will know the basic mechanics of report writing.

PERFORMANCE OBJECTIVE(s):

(new) 80%

5.4.1 The student will demonstrate the ability to spell job related words.

(new) 80%

5.4.2 The student will demonstrate the ability to distinguish between active and passive voice sentence construction.

(new) 80%

5.4.3 Given examples of faulty sentence structure, the student will revise them into clear and complete sentences. This will minimally include correcting:

- A. Sentence fragments
- B. Run-on sentences
- C. Comma splices

(new) 80%

5.4.4 The student will identify inappropriate words for police reports. This will minimally include:

- A. Slang (except when quoted)
- B. Jargon (except when quoted)
- C. Non-standard abbreviations

(new) 80%

5.4.5 The student will revise third person sentence construction to first person.

(new) 80%

5.4.6 Given a series of events, the student will, to the satisfaction of the instructor, place them in chronological order.

5.5.0 REPORT WRITING APPLICATION

(revised)

(revised) 80% 5.5.1 *Given word pictures or audio visual presentations depicting police problems, simulated police situations, the student will organize and write the facts in an appropriate report format. The student will accomplish this by:

- A. Gathering relevant information by conducting a preliminary investigation (Ref. 10.1.0).
- B. Organizing the necessary facts in either a chronological or categorical order.
- C. Relating the facts in appropriate sentence form grammatically and structurally correct sentences.
- D. Utilizing the principles of Report Writing Mechanics (Ref. 5.4.0).

(delete)

5.5.2 Given word pictures or audio visual presentations, the student will complete the primary reports used by his/her agency, consistent with the following rules of a good report:

- A. Concise
- B. Clear
- C. Complete
- D. Legible
- E. Grammatically and structurally correct

(delete)

5.5.3 The student will prepare an inter-office correspondence reflecting the following characteristics:

- A. Concise
- B. Clear
- C. Complete
- D. Legible
- E. Grammatically and structurally correct

*It is recommended the term "simulated police situation" will be defined in the glossary to include word pictures, audio visual presentation, or role-playing. "Simulated police situation" is to be substituted for all references to these terms.

Tuition Guidelines

10-7. Approved Expenses for Establishing Tuition: The following guidelines are to be ~~utilized~~ used by course coordinators and other individuals presenting or planning to present tuition-type and contract training programs certified by the Commission. These guidelines identify the expenses that may be approved in establishing the allowable tuition and contract costs. ~~amount reimbursed to local jurisdictions.~~ These guidelines are to be used ~~applicable to for~~ currently certified courses and ~~are to be utilized~~ in completing POST Form 2-103 (Course Certification Request) and 2-106 (Course Budget) when requesting the initial certification.

The Budget Categories Worksheet, Page 2 and 3 of POST 2-106, shall be completed, listing the costs for each of the categories as applicable. Each category cost is to be totaled and entered on the Budget Categories Summary, Page 1 of POST 2-106. The Course Budget shall be submitted with the Certification Request, POST 2-103.

Direct costs are those allowable costs directly incident to the development and presentation of a POST certified course. The adopted guidelines for approved direct and indirect costs are as follows:

~~Current adopted guidelines are as follows:~~

- a. Instruction: Up to \$25 per hour for each certified hour of instruction per instructor. It is expected that fringe benefits and instructor preparation will be included in this amount.

10-7. Tuition Guidelines (continued)

Normally, only one instructor per certified hour will be approved; however, team teaching may be approved by POST staff if deemed necessary. For the purposes of these guidelines, team teaching is defined as having two or more instructors in the classroom for actual teaching purposes and under conditions which the particular subject matter, material, or format of instruction may require, which may include workshops, exercises or panel discussions. No coordinator or observer, while acting as such, will be considered simultaneously a teacher.

Up to \$62 per instructional hour may be approved in instances of special need for particular expertise in an instructional area, based upon acceptable written justification from the presenter. up to \$62 per hour may be approved. On those limited occasions where it may be necessary to obtain special expertise to provide executive level training, the maximum of \$62 per instructional hour may be exceeded upon prior approval of the Executive Director.

~~The hourly rate to be paid each instructor shall be listed in the Course Budget (POST Form 2-106, Item 10, Services Instruction) which must be submitted for tuition type courses when requesting initial certification.~~

- b. Development Costs: A one-time only cost may be approved for new courses up to \$15 per hour for each certified hour to cover for new courses the cost of necessary research and other attendant developmental activities. will be included only in the first presentation using this formula: The costs for course development are to be included in the tuition charge for the first presentation only.

10-7. Tuition Guidelines (continued)

~~Up to \$15 per hour for each of the first 40 certified course hours;
\$7.50 per hour maximum for the remainder of the certified course hours
to a maximum of 100 hours (e.g., certified course of 100 hours;
40 hours at \$15 per hour plus 60 hours at \$7.50 per hour = \$1,050).~~

~~c. Coordination: For a certified course of 24 hours or less a rate of
\$100 is allowed. For courses in excess of 24 hours to 40 hours, a
rate of \$150 is allowed. For courses exceeding 40 hours, a rate of \$5
per hour to a maximum of 100 hours is allowed.~~

c. Coordination: Off-site coordination of certified courses shall, when
appropriate, be allowed using the following formula:

<u>Course Length</u>	<u>Amount</u>
<u>24 hours or less</u>	<u>\$100</u>
<u>25 to 40 hours</u>	<u>150</u>
<u>over 40 hours</u>	<u>\$ 3 per hour up to a maximum of 100 hours</u>

The off-site coordinator has responsibility for the maintenance
presentation of the course including scheduling, instructor selection,
avoidance of duplicative instruction, provision of alternate
instructors or instruction if necessary, ~~and~~ administrative reporting
requirements, subject area time allocation, instructor evaluations,
site selection, and supervision of support staff.

10-7. Tuition Guidelines (continued)

On-site coordination of courses may be paid up to \$9 per certified hour. Up to \$15 per hour may be approved based upon acceptable written justification from the presenter for a special need for a greater degree of expertise. Up to \$15 per hour may be approved. Course quality control during the presentation is the prime responsibility of the on-site coordinator; responsibilities may include securing attendance and selection of alternate instructors.

~~d. Clerical Support: For a certified course of 24 hours or less, up to 40 hours of support is allowed. For courses of 25 hours to 40 hours, up to 50 hours of support is allowed. For courses exceeding 40 hours, a maximum of 100 hours is allowed on the basis of an hour of support to a certified instructional hour.~~

d. Clerical Support: Clerical hourly rates may be allowed up to not exceed \$7.50 per hour for clerical support based on the following formula:

<u>CERTIFIED COURSE LENGTH</u>	<u>CLERICAL SUPPORT</u>
<u>24 hours or less</u>	<u>40 hours maximum</u>
<u>25 to 40 hours</u>	<u>50 hours maximum</u>
<u>Over 40 hours</u>	<u>100 hours maximum</u>

e. Printing/Reproduction: Actual expenses for brochure and handout printing or reproduction may be allowed. Expenses ~~should~~ shall include a per sheet cost breakdown.

f. Books/Films/Instructional Materials: Actual expenses may be allowed provided each expense is identified. Expendables, such as programmed tests, may be allowed in the same manner. Textbooks may be purchased

10-7. Tuition Guidelines (continued)

and a one-time expenditure may be allowed for textbooks which will be used in future class presentations. ~~If Should~~ the course ~~is be~~ decertified, or ~~if the texts are no longer are~~ necessary in this course, they shall be delivered to POST for disposition within a reasonable period of time, at the expense of the training institution.
~~to POST for disposition.~~

Films and other expensive instructional aids should normally be rented or obtained without charge from the various sources available. ~~Should~~ If a purchase is be necessary, and authorized by ~~the Commission~~ POST, such materials shall remain the property of the Commission.

g. Paper/Office Supplies/Mailing: Actual expenses may be allowed provided each expense is identified.

h. Coordinator/Instructor(s) ~~Instructor/Coordinator~~ Travel: ~~Limited to actual expense necessary and approved in advance in the budget in an amount not to be exceeded.~~

An estimate is to be made of the necessary travel expenses for advance budget approval. Expenses for local area travel are ~~not normally~~ allowed only when travel exceeds 25 miles one way or if travel is necessary to an additional course site. If a course presentation is authorized out of the immediate vicinity of the presenter's local ~~normal~~ area, travel expenses may be allowed in accordance with existing State regulations covering travel and per diem.

10-7. Tuition Guidelines (continued)

~~i. Miscellaneous: Any other item that can be identified and justified may be allowed.~~

i. Miscellaneous: Any other cost of materials and other direct items of expense acquired that can be identified, justified, and approved by POST may be allowed.

~~j. Fee or Indirect Costs: Up to 15% of the total of all the above items may be allowed.~~

~~This amount will include such items as research, maintenance, general administration or use allowances.~~

j. Indirect Costs: Indirect costs are allowable costs for services not readily assignable as direct costs but have an actual cost relatedness to the service to be provided. These may include such items as general administration or use allowances. Indirect costs may not exceed 15% of the total direct costs.

POST ADVISORY COMMITTEE

Proposed Policy Regarding Service and Appointments of Members

1. Members are appointed by the full Commission.
 - a. Members representing an association are nominated by the association or agency.
 - b. ~~The student representative and public members are nominated by POST staff.~~
 - b. The public members are nominated by members of the Commission. If more than one nomination exist for an opening, the Chairman of the Commission shall poll the Commissioners to determine the nominee.
2. Members always serve at the pleasure of the Commission with a normal term of three years.
3. The appointment cycle of members is on a September-to-September basis, in conformance with Commission appointments, with staggered terms.
4. The Advisory Committee Chairman and Vice-Chairman are elected by their fellow members at the last scheduled meeting of each calendar year.
5. A member's unexcused absence from two consecutive regularly scheduled meetings shall result in formal review by the Commission of the member's status for consideration of removal from the Advisory Committee.
6. A member's service shall, where appropriate, be reviewed annually by the Commission with the association or group represented.
7. Members are not allowed to send alternates to represent them at meetings.
8. The Advisory Committee shall schedule as far in advance as practical at least four meetings annually, any one or more of which may be cancelled if deemed not necessary by the Chairman. One of the four scheduled meetings shall be with the Commission or its representatives, preferably at or near the site of the Commission meeting and the day before.
9. The Chairman of the Advisory Committee shall attend Commission meetings and serve as spokesman for the Advisory Committee.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Course Certification/Decertification Report		Meeting Date January 28, 1982
Bureau Training Delivery Services	Reviewed By <i>Gene De Croux</i>	Researched By Judy Yamamoto
Executive Director Approval <i>William C. Boehm</i>	Date of Approval 1-6-82	Date of Report December 15, 1981
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

The following courses have been certified or decertified since the October 23, 1981 Commission Meeting:

CERTIFIED

Course Title	Presenter	Course Category	Reimbursement Plan	Fiscal Impact
1. Drug/Alcohol Recognition: DUI	DARTS Associates	Technical	IV	\$ 20,640
2. Crisis Intervention	Rio Hondo College	Technical	IV	5,572
3. Reserve Training Modules A, B	San Bernardino Co. SD	Approved	NA	NA
4. Police Armorers Institute	Los Angeles PD	Technical	IV	2,838
5. Administrative Services Management	Cal State Poly Univ. - Pomona	Mgmt. Sem.	III	18,300
6. Traffic Accident Investigation	Sacramento Center, NCCJTES	Technical	II	NA
7. Basic Course (Extended)	San Joaquin Delta Col.	Basic	I	NA
8. Defensive Tactics Instructor Trng.	Wm. Penn Mott Training Center	Technical	IV	2,941
9. Adv. Defensive Tactics Instr. Training	Wm. Penn Mott Training Center	Technical	IV	1,548
10. Adv. Firearms Instr. Course	Wm. Penn Mott Training Center	Technical	IV	2,352

Utilize reverse side if needed

	<u>Course Title</u>	<u>Presenter</u>	<u>Course Category</u>	<u>Reimbursement Plan</u>	<u>Fiscal Impact</u>
11.	Reserve Training, Level II, Module B	Hartnell C. C.	Approved	NA	NA
12.	Managers' Update	San Diego Regional Training Center	Technical	III	7,740

DECERTIFIED

1.	Background Inv.	Moorpark College	Technical	IV	-0-
2.	Practical Case Management	FBI-Los Angeles	Technical	IV	-0-
3.	Sexual Assault Investigation	FBI-Los Angeles	Technical	II	-0-
4.	School Resource Officer	CSU-Long Beach/Justice Research & Training	Technical	III	-0-
5.	Research Design	CSU-Long Beach/Justice Research & Training	Technical	III	-0-
6.	Spanish for Peace Officers	B.I. Language Services	Technical	III	-0-

AGENDA ITEM SUMMARY SHEET

Agenda Item Title State Center Community College District Police		Meeting Date January 21-22, 1982
Bureau Field Services	Reviewed By <i>R.T. Allen</i>	Researched By George Fox <i>Y</i>
Executive Director Approval	Date of Approval	Date of Report September 1, 1981
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

ISSUE

The State Center Community College District Police Department has requested entry into the POST Regular Program.

BACKGROUND

The College District has participated in the POST Specialized Program since 1972. The provisions of PC Section 830.31(c), permits a community college district to create a police department. Penal Code Section 13507(e) places such a department into the POST reimbursable program. The District has submitted the necessary resolution supporting POST objectives and regulations.

ANALYSIS

The District presently employs ten sworn officers. All officers possess a Basic Certificate or have attended a POST Basic Course. Adequate selection standards have been employed. The projected impact should be less than \$1,500 annually.

RECOMMENDATION

The Commission be advised that the State Center Community College District Police Department has been admitted into the Regular POST Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

STATUS OF REQUESTS TO PARTICIPATE IN THE POST PROGRAM

Reimbursable and Specialized

1. REQUEST RECEIVED FROM (AGENCY) State Center Community College District Police		NO. SWORN PERSONNEL 10
2. DATE OF LETTER RECEIVED 5-14-81	ACCOMPANIED BY <input type="checkbox"/> ORDINANCE _____ EFFECTIVE DATE _____ <input checked="" type="checkbox"/> RESOLUTION 5-5-81 _____ EFFECTIVE DATE _____ <input type="checkbox"/> LETTER OF INTENT _____ GOVERNING AUTHORITY _____ <input type="checkbox"/> NONE	
3. ACKNOWLEDGMENT OF RECEIPT DATE _____	4. ASSIGNED TO PERSONNEL STANDARDS CONSULTANT George Fox <i>J</i> DATE ASSIGNED 5-14-81	
4a. AGENCY QUALIFICATION <div style="display: flex; justify-content: space-between;"> <div> COMMISSION POLICY <input type="checkbox"/> YES <input type="checkbox"/> NO PENAL CODE PROVISIONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO PC 830.31(c) </div> <div> PREVIOUSLY APPROVED CLASS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </div> </div> COMMENTS Presently in Specialized Program.		
4b. AGENCY VISITED DATE 7-3-81	4c. DISCUSSED WITH E & T CONSULTANT George Estrada DATE DISCUSSED 5-14-81	4d. REPORT PREPARED DATE 8-28-81
RECOMMENDATION AND REMARKS <p>The State Center Community College District has participated in the POST Specialized Program since August 26, 1971. With the passage of amendments to PC Section 13507, the District now desires to participate in the POST Regular Program.</p> <p>It is recommended that the District be included in the POST Regular Program.</p>		
5. <input type="checkbox"/> COMMISSION ACTION OR <input checked="" type="checkbox"/> STAFF ACTION <i>1. Approved - [Signature] 9-1-81</i>		
6. LETTER NOTIFYING AGENCY OF RESULTS _____ DATE _____ BY _____		
7. COPY OF LETTER TO ALL DIVISIONS _____ DATE _____ BY _____		

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Modesto Judicial District Marshal		Meeting Date January 21-22, 1982
Bureau Field Operations	Reviewed By <i>R.T. Allen</i>	Researched By George Fox <i>J</i>
Executive Director Approval <i>Memorandum</i>	Date of Approval 10-6-81	Date of Report August 28, 1981
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

The Modesto Judicial District Marshal has requested entry into the POST Specialized Program.

BACKGROUND

The provisions of Section 830.1 (a) Penal Code confers peace officer authority for marshals and deputy marshals. The Stanislaus County Board of Supervisors enacted a resolution on February 13, 1979 that supports the POST objectives and goals.

ANALYSIS

The Marshal's office presently employs thirteen sworn officers. On-site visits reveal adequate training and other POST required standards have been met.

RECOMMENDATION

The Commission be advised that the Modesto Judicial District Marshal's Office has been admitted into the POST Specialized Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

STATUS OF REQUESTS TO PARTICIPATE IN THE POST PROGRAM

Reimbursable and Specialized

1. REQUEST RECEIVED FROM (AGENCY) Modesto Judicial District Marshal		NO. SWORN PERSONNEL 13								
2. DATE OF LETTER RECEIVED July 8, 1971	ACCOMPANIED BY <input type="checkbox"/> ORDINANCE _____ EFFECTIVE DATE _____ <input type="checkbox"/> LETTER OF INTENT _____ GOVERNING AUTHORITY _____ <input checked="" type="checkbox"/> RESOLUTION <u>February 13, '79</u> EFFECTIVE DATE _____ <input type="checkbox"/> NONE									
3. ACKNOWLEDGMENT OF RECEIPT By Phone DATE 1979 and 1980	4. ASSIGNED TO PERSONNEL STANDARDS CONSULTANT <u>George Fox</u> <i>Y</i> DATE ASSIGNED <u>Jan. 2, 1980</u>									
4a. AGENCY QUALIFICATION <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">COMMISSION POLICY</td> <td style="text-align: center;">YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></td> <td style="text-align: center;">PREVIOUSLY APPROVED CLASS</td> <td style="text-align: center;">YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></td> </tr> <tr> <td style="text-align: center;">PENAL CODE PROVISIONS</td> <td style="text-align: center;">YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></td> <td colspan="2" style="text-align: center;">830.1 (a) P. C.</td> </tr> </table> COMMENTS <u>Requested entry into Specialized Program prior to October 1978.</u>			COMMISSION POLICY	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PREVIOUSLY APPROVED CLASS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PENAL CODE PROVISIONS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	830.1 (a) P. C.	
COMMISSION POLICY	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	PREVIOUSLY APPROVED CLASS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>							
PENAL CODE PROVISIONS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	830.1 (a) P. C.								
4b. AGENCY VISITED September 20, '79 Jan. 14, 1981 DATE _____	4c. DISCUSSED WITH E & T Bob Richardson Bud Perry CONSULTANT _____ DATE DISCUSSED _____	4d. REPORT PREPARED DATE _____								
RECOMMENDATION AND REMARKS <p>The Modesto Judicial District Marshal has requested that the District be included in the POST Specialized Program. On-site visits and inspections reflect that the agency employees 13 sworn personnel who meet POST training requirements.</p> <p>It is recommended that the Marshal's office be enrolled in the Specialized Program.</p>										
5. <input type="checkbox"/> COMMISSION ACTION OR <input checked="" type="checkbox"/> STAFF ACTION <u>I. approved - R.T. Allen 9-1-81</u>										
6. LETTER NOTIFYING AGENCY OF RESULTS _____ DATE _____ BY _____										
7. COPY OF LETTER TO ALL DIVISIONS _____ DATE _____ BY _____										

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Department of Insurance-Fraud Investigators		Meeting Date January 21, 1982
Bureau Field Services Bureau	Reviewed By <i>R. T. Allen</i>	Researched By George Fox <i>✓</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 10-6-81	Date of Report September 2, 1981
Purpose: Decision Requested <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>		

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page _____).

ISSUE

The California Department of Insurance-Fraud Investigators have requested that their agency be included in the POST Specialized Program.

BACKGROUND

The provisions of Section 830.3 (k) Penal Code describes the Insurance Fraud Investigators as peace officers. The California Insurance Commissioner furnished a Letter of Intent, dated May 27, 1981, supporting POST objectives and regulations.

ANALYSIS

The agency presently employs nine sworn investigators who possess or will be eligible to possess the POST Basic Certificate or higher. An on-site visit reveals adequate selection and background standards have been employed.

RECOMMENDATION

The Commission be advised that the California Department of Insurance-Fraud Investigators have been admitted into the POST Specialized Program consistent with Commission policy.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

STATUS OF REQUESTS TO PARTICIPATE IN THE POST PROGRAM

Reimbursable and Specialized

1. REQUEST RECEIVED FROM (AGENCY) Department of Insurance-Fraud Investigators		NO. SWORN PERSONNEL 9
2. DATE OF LETTER RECEIVED 5-27-81	ACCOMPANIED BY <input type="checkbox"/> ORDINANCE _____ EFFECTIVE DATE _____ <input checked="" type="checkbox"/> LETTER OF INTENT _____ <input type="checkbox"/> RESOLUTION _____ EFFECTIVE DATE _____ <input type="checkbox"/> NONE	
5-27-81 Insurance Comm. GOVERNING AUTHORITY		
3. ACKNOWLEDGMENT OF RECEIPT Telephone 3-27-81 DATE _____	4. ASSIGNED TO PERSONNEL STANDARDS, F.S.B. CONSULTANT <u>George Fox</u> <u>7</u> DATE ASSIGNED <u>3-27-81</u>	
4a. AGENCY QUALIFICATION <div style="display: flex; justify-content: space-between;"> <div> COMMISSION POLICY <input type="checkbox"/> YES <input type="checkbox"/> NO PENAL CODE PROVISIONS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO </div> <div> PREVIOUSLY APPROVED CLASS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO P.C. 830.3 (k) </div> </div> COMMENTS <u>California State Agency</u>		
4b. AGENCY VISITED DATE <u>9-2-81</u>	4c. DISCUSSED WITH E & T CONSULTANT <u>George Niesl</u> DATE DISCUSSED <u>5-27-81</u>	4d. REPORT PREPARED DATE <u>9-2-81</u>
RECOMMENDATION AND REMARKS <p>The California Department of Insurance-Fraud Investigators has requested that the Agency be included in the POST Specialized Program. An on-site visit and inspection reflects that the Agency employs nine sworn members, all of whom possess POST Basic Certificates or have attended a Basic Course. It is recommended that the Agency be enrolled in the Specialized Program.</p>		
5. <input type="checkbox"/> COMMISSION ACTION OR <input checked="" type="checkbox"/> STAFF ACTION <u>1. Approved - R.T. Allen 9-2-81</u>		
6. LETTER NOTIFYING AGENCY OF RESULTS <div style="display: flex; justify-content: space-between;"> <div>DATE _____</div> <div>BY _____</div> </div>		
7. COPY OF LETTER TO ALL DIVISIONS <div style="display: flex; justify-content: space-between;"> <div>DATE _____</div> <div>BY _____</div> </div>		

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Financial Report - First and Second Quarter 1981-82		Meeting Date January 28, 1982
Bureau Administrative Services	Reviewed By <i>John B. Dunder</i>	Researched By Staff
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval January 11, 1982	Date of Report January 11, 1982
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input checked="" type="checkbox"/>		Financial Impact Yes <input type="checkbox"/> (See Analysis per details) No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

This report includes information for the period from July 1, 1981 through December 31, 1981. Reimbursement of training costs to cities, counties and districts in California are shown. Detailed information is included, showing a breakdown of training costs by category of expense, i.e. subsistence, travel, tuition, and salary at a 30% rate of reimbursement (Schedule I). Also included is the cumulative report of reimbursement (Schedule II) made from the Peace Officers' Training Fund, providing detailed information on:

- Reimbursement made on each course category of training
- Number of trainees
- Average cost per trainee
- Hours of training

Reimbursements for the first six months of the 1981-82 Fiscal Year totaled \$4,672,748.00 compared to approximately \$4,018,688 (does not include 1979-80 carryover) for the corresponding quarters in the 1980-81 Fiscal Year, an increase of \$654,060 (16%).

Revenue information is included through November. (Due to a change in the method of receiving and computing funds, the Controller's Office does not provide us with revenue information until late in the month following that in which the revenue was received.)

Utilize reverse side if needed

MONTH December
FISCAL YEAR 1981/82

REIMBURSEMENT BY CATEGORY OF EXPENSE

State of California Department of Justice
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

Code	COURSE CATEGORY		Resident Subsistence	%	Commuter Meal Allowance	%	Travel	%	Tuition	%	Salary	%	TOTAL	%
A	BASIC COURSE	Total this Month	101,832.58		7,733.99		23,781.29		28,493.50		328,246.78		490,088.14	
		Previous Months	263,832.10		39,582.63		73,344.24		121,277.00		1,254,713.29		1,752,749.26	
		Total to Date	365,664.68	16	47,316.62	02	97,125.53	04	149,770.50	07	1,582,960.07	71	2,242,837.40	48
C	ADVANCED OFFICER COURSE	Total this Month	1,118.94		2,376.75		1,554.67				70,134.82		75,185.18	
		Previous Months	18,868.13		2,975.94		7,273.05				207,977.93		237,095.05	
		Total to Date	19,987.07	06	5,352.69	02	8,827.72	03			278,112.75	89	312,280.23	07
D	SUPERVISORY COURSE (MANDATED)	Total this Month	10,845.11		1,786.89		5,066.48				39,282.94		56,981.42	
		Previous Months	32,601.09		3,468.01		11,314.54				51,466.93		98,850.57	
		Total to Date	43,446.20	28	5,254.90	03	16,381.02	11			90,749.87	58	155,831.99	04
G	SUPERVISORY SEMINARS AND COURSES	Total this Month	1,414.40		96.50		574.77		1,050.00				3,135.67	
		Previous Months	2,533.82		1,010.83		1,568.32		7,612.50				12,725.47	
		Total to Date	3,948.22	25	1,107.33	07	2,143.09	14	8,662.50	54			15,861.14	0
E	MANAGEMENT COURSE (MANDATED)	Total this Month	13,670.67		135.00		2,708.92				8,438.92		24,953.51	
		Previous Months	24,457.60		322.10		6,032.01				12,722.41		43,534.12	
		Total to Date	38,128.27	55	457.10	01	8,740.93	13			21,161.33	31	68,487.63	01
H	MANAGEMENT SEMINARS AND COURSES	Total this Month	23,764.57		82.50		8,678.94		15,344.00				47,870.01	
		Previous Months	51,886.07		1,218.86		16,397.74		22,830.50				92,333.17	
		Total to Date	75,650.64	54	1,301.36	01	25,076.68	18	38,174.50	27			140,203.18	03
F	EXECUTIVE DEVELOPMENT COURSE	Total this Month	6,396.24		-0-		986.96						7,383.20	
		Previous Months	6,523.60		55.00		2,129.46						8,708.06	
		Total to Date	12,919.84	80	55.00	0	3,116.42	20					16,091.26	0
I	EXECUTIVE SEMINARS AND COURSES	Total this Month	253.81		1,073.24		1,912.81		7,082.00				10,321.86	
		Previous Months	1,494.72		857.97		2,277.35		11,136.00				15,766.04	
		Total to Date	1,748.53	7	1,931.21	7	4,190.16	16	18,218.00	70			26,087.90	01
J	JOB SPECIFIC COURSES	Total this Month	67,651.78		3,291.83		21,711.12		16,705.00		74,479.72		183,839.45	
		Previous Months	222,840.42		10,763.62		71,190.22		59,471.00		279,108.24		643,373.50	
		Total to Date	290,492.20	35	14,055.45	2	92,901.34	11	76,176.00	9	353,587.96	43	827,212.95	18
K	TECHNICAL SKILLS AND KNOWLEDGE COURSES	Total this Month	115,341.58		4,156.86		41,752.12		46,768.25				208,018.81	
		Previous Months	320,578.14		12,909.44		122,644.38		131,406.26				587,538.22	
		Total to Date	435,919.72	55	17,066.30	2	164,396.50	21	178,174.51	22			795,557.03	17
L	FIELD MANAGEMENT TRAINING	Total this Month	1,224.44		-0-		1,470.07						2,694.51	
		Previous Months	3,959.95		16.50		3,140.75						7,117.20	
		Total to Date	5,184.39	53	16.50	0	4,610.82	47					9,811.71	0
M	TEAM BUILDING WORKSHOPS	Total this Month	-0-		-0-		-0-		-0-				-0-	
		Previous Months	20,696.39		264.00		1,844.99		31,387.50				54,192.88	
		Total to Date	20,696.39	38	264.00	0	1,844.99	4	31,387.50	58			54,192.88	01
N	POST SPECIAL SEMINARS	Total this Month	540.90		56.96		617.66						1,215.52	
		Previous Months	9,367.53		126.99		8,679.69						18,234.21	
		Total to Date	9,908.43	51	243.95	01	9,297.35	48					19,449.73	0
O	APPROVED COURSES	Total this Month	-0-		46.50		76.64						123.14	
		Previous Months	412.77		90.39		165.76						668.92	
		Total to Date	412.77	52	135.89	17	242.40	31					792.06	0
TOTAL FOR MONTH			344,055.02		20,832.02		110,892.45		115,442.75		520,583.18		1,111,810.42	
TOTAL FOR PREVIOUS MONTHS			980,052.33		71,722.28		328,902.50		385,120.76		1,805,988.80		3,572,886.67	
GRAND TOTAL TO DATE			1,324,107.35	28	92,554.30	2	439,894.95	9	500,563.51	11	2,326,571.99	50	4,684,697.09	100

REIMBURSEMENT BY COURSE CATEGORY Second Quarter Cumulative Report 1981-82 F. Y.				State of California Department of Justice COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING 7100 Bowling Drive, Sacramento, CA 95823			
Course Category	Course Code	Course Category Designation	Amount of Reimbursement	No. of Trainees	Average Cost Per Trainee	Hours of Training	Number Of Claims
Basic Course	0010	A	\$ 2,242,837.40	1,601	\$ 1,400.90	582,696	293
Advanced Officer Course	0030-31	C	\$ 312,280.23	2,890	\$ 108.06	76,981	231
Supervisory Course (Mandated)	0040	D	\$ 155,831.99	299	\$ 521.18	23,929	155
Supervisory Seminars and Courses	1200, 2040, 3366	G	\$ 15,861.14	97	\$ 163.52	2,548	42
Management Course (Mandated)	0050	E	\$ 68,487.63	88	\$ 778.27	7,032	74
Management Seminars and Courses	1010-1050 Various 4000 Codes	H	\$ 140,203.18	446	\$ 314.36	14,449	306
Executive Development Course	7000	F	\$ 16,091.26	27	\$ 595.97	2,160	25
Executive Seminars and Courses	1110-1150, 1310, 3205, 4990-4991	I	\$ 26,087.90	437	\$ 59.70	3,100	160
Job Specific Courses	Various 4000 Series Codes	J	\$ 827,212.95	2,444	\$ 338.47	115,571	979
Technical Skills and Knowledge Courses	Various 2000, 3000 + 4000 Codes	K	\$ 795,557.03	2,999	\$ 265.27	111,565	1,658
Field Management Training	6000	L	\$ 9,811.71	42	\$ 233.61	992	26
Team Building Workshops	5000	M	\$ 54,192.88	180	\$ 301.07	4,320	16
POST Special Seminars	1320	N	\$ 19,449.73	130	\$ 149.61	1,904	122
Approved Courses	8000-8999	O	\$ 792.06	9	\$ 88.01	318	7
Subtotal			\$ 4,684,697.09	11,689		947,565	4,094
Adjustments to Prior Payments			\$ (-) 3,215.01				
State Controller Audit Adjustments			\$ (-) 8,734.02				
TOTAL REIMBURSEMENT			\$ 4,672,748.06	11,689		947,565	4,094

ADMINISTRATION DIVISION
Claim Audit Section

State of California

Department of Justice

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
7100 Bowling Drive, Sacramento, CA 95823

Reimbursement By Month	1981-82 F.Y. Reimbursements	Adjustments and Audit Report	Ltr. of Agr.	Contract Reimb.	Total Aid to Local Gov't Item 812-101-268
			Room Rent		
July	\$ 698,521.71		\$ 1,121.36 342.00	\$ 4,037.30	\$ 704,022.37
August	535,170.09		3,806.08 55.10	5,507.44	1,248,561.08
September	959,266.65	\$ +231.09 -3,680.55	2,592.23 256.20	8,544.34	2,215,771.04
October	468,714.76		4,653.31 50.00	12,205.00	2,701,394.11
November	911,213.46		4,353.22 391.00	23,521.78	3,640,873.57
December	1,111,810.42	\$ -3446.10 -5053.47	7,282.94 611.10	10,721.47	4,762,799.93
January					
February					
March					
April					
May					
June					
TOTAL	\$	\$	\$	\$	\$

Comparison of Revenue by Month

Fiscal Years 1980-81 and 1981-82

(Includes Estimated Revenues For 81-82)

December 31, 1981

<u>1980-81</u>		<u>1981-82</u>		Interest and Other	Total	Cumulative Total
Month	Monthly Total	Cumulative Column	Cumulative Monthly Estimated	Penalty Assessment Fund		
July	\$ 1,475,994	\$ 1,475,994	\$ 1,600,000	\$ 88,731	\$ 88,731	\$
Aug	859,958	2,335,952	3,200,000	1,505,586	1,505,802	1,594,533
Sep	1,301,674	3,637,626	4,800,000	986,110	990,799	2,585,332
Oct	1,345,000	4,982,626	6,400,000	1,942,733	1,951,656	4,536,988
Nov	852,322	5,834,948	8,000,000	1,554,617	1,555,125	6,092,113
Dec	1,567,724	7,402,672	9,600,000	1,732,092	1,732,083	7,824,196
Jan	2,334,979	9,737,651	11,200,000			
Feb	915,524	10,653,175	12,800,000			
Mar	558,652	11,211,827	14,400,000			
Apr	1,542,695	12,754,522	16,000,000			
May	1,611,136	14,365,658	17,600,000			
Jun	2,835,073	17,200,731	19,200,000			
	\$17,200,731	\$17,200,731	\$19,200,000	\$7,809,869	\$14,327	\$7,824,196

Cumulative
% of
Estimation
81.502%

Monthly %
of Estimation
108.255%

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Policy Statements for Commission Policy Manual		Meeting Date January 28, 1982
Bureau Information Services	Reviewed By	Researched By Bradley W. Koch <i>BW Koch</i>
Executive Director Approval <i>Morgan C. Beckman</i>	Date of Approval 1-6-82	Date of Report 12-18-81
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

The Commission has directed that Staff shall submit policy matters for affirmation by the Commission prior to inclusion in the Commission Policy Manual. The attached policy statements are being submitted for such affirmation.

BACKGROUND

Policy statements are being submitted for approval as adopted by the Commission at its regular meeting, October 23, 1981.

ANALYSIS

The policy statements being submitted for approval are appropriate for inclusion in the Commission Policy Manual.

RECOMMENDATION

Adopt policy statements as follows for inclusion in the Commission Policy Manual.

Major Changes Basic Course Performance Objectives

"Performance Objectives for the Basic Course requiring major changes (additions or deletions) shall be approved by the Commission in advance of their adoption."

Commission Meeting

10/23/81

Minor Changes Basic Course Performance Objectives

"Minor changes in the Basic Course Performance Objectives may be made administratively and will take effect immediately, they must be reported to the Commission annually at its July meeting."

Commission Meeting

10/23/81

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Chemical Agents Training for County Probation Officers		Meeting Date January 28, 1982
Bureau Training Delivery Services	Reviewed By <i>Gene DeCrona</i>	Researched By Gene DeCrona (X)
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 1-8-82	Date of Report December 2, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

The Board of Corrections has requested that all field probation officers be allowed to take the course of training approved for private persons and security guards to satisfy Penal Code Section 12403 requirements. PC Section 12403 requires peace officers to complete a course of training approved by the Commission in the use of tear gas.

BACKGROUND

Deputy Probation Officers have been required to complete the chemical agents course required of all regular police officers and sheriff's deputies. This course does not meet the needs of those personnel.

The course of training described in Penal Code Section 12403.7 would satisfy all requirements of Penal Code Section 12403 and would permit the probation departments to train their field probation officers in a more cost effective manner.

The Commission, at its regular meeting July 26-27, 1979, made a similar policy change for private security guards, and on October 23, 1980, made the same decision for CYA field parole agents. Private security guards and CYA field parole agents now satisfy the required training by completion of the Private Citizen Chemical Agent Course certified by the Department of Justice.

ANALYSIS

There appears to be no problems in allowing the field probation officers to satisfy the requirements of PC 12403 through attendance of the Private Citizen Chemical Agent Course upon the option of the local probation director/department head.

This would not effect probation officers assigned to institutions, who if required to use chemical agents, would continue to be trained in the regular chemical agents course.

A change of policy will significantly reduce the current problems in meeting the training requirements of county probation officers who must currently satisfy regular peace officer chemical agent training.

Field probation officers are non-POST reimbursable; therefore, no fiscal impact is reported.

RECOMMENDATION

Change Commission Procedure D-7 effective February 1, 1982 to allow field probation officers, as described in Penal Code Section 830.5, to complete the approved Department of Justice course, Tear Gas Training for Citizens, to satisfy the requirements of P.C. Section 12403.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Report on Requirements for Further Training for POST Certificate Holders With a Break in Service		Meeting Date January 28, 1982
Bureau Training Program Services	Reviewed By <i>J. Morton</i>	Researched By Beverly Clemons <i>BVC</i>
Executive Director Approval <i>Norman C. Becker</i>	Date of Approval	Date of Report December 17, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

At the October 1981 meeting, the Commission directed staff to study the need, if any, for updated training for persons who possess a POST certificate, encounter a break in service, and are desiring to reenter California law enforcement.

BACKGROUND

At the October meeting, the Commission approved an amendment to Commission Procedure D-11 to specify that a person would have a maximum of three years from date of completion of a POST-certified Basic Course to date of hire as a California peace officer without invoking the waiver process. The three year provisions amended the previous policy of a fixed date of January 1, 1973.

At the same meeting a related issue was raised regarding the training of a person who has been issued a POST certificate, leaves California law enforcement for a period of time, and then desires to reenter. The question being asked is how much time could pass before the previous training is invalid, requiring some type of updated training or equivalency testing?

ANALYSIS

The issue raised numerous alternatives and additional problems and questions.

In defining the relationship between a POST certificate and type of updated training, there is the question as to what type of certificate is involved, i.e., Basic, Advanced, Management, Executive, at what level of assignment is the applicant desiring to reenter, and what, if any, updated training may be needed at that particular level. A complete, comprehensive analysis on the retention potential of education and training, when coupled with experience, would have to be made for various levels in law enforcement before any appropriate updated training can be identified. For instance, what type of training would be relevant or even necessary for a person holding a Management or Executive certificate desiring to reenter law enforcement after a break in service.

The Basic Course is constantly being reviewed and monitored. This is resulting in the possibility of a major revision of the Basic Course functional areas approximately every two years. It is possible that updated, technical training covering such areas

as new laws, new legislative requirements, specific skills training, and any modifications in the functional areas from date of original training to the present could be developed or required. However, some problems in developing and presenting this type of updated training are cost and student or availability of sufficient students.

A study of the POST Certificate Program is currently being done by the POST Field Services Bureau to review the education and training requirements for issuance of POST certificates. One suggestion may be to include this issue with the certificate program review.

Another alternative would be to arbitrarily require the equivalency and testing process for all persons with a break in California peace officer service of a set period of time (for instance, three years) without regard to previously issued certificates or to level of assignment.

An additional factor that may impact any action taken on this issue at this time is police licensing. It may be that the provisions of licensing when/if adopted will require some type of training for reentry or renewal of license, thereby allowing the POST certificate to be a certificate of achievement with the license being the controlling factor for current training requirements.

CONCLUSION/RECOMMENDATION

Because this is a multi-faceted issue that requires an indepth analysis before a final decision is reached. Staff is therefore recommending that it continue to study this issue and report back to the Commission by January 1983. The request is for a time extension to study the matter. In the meantime, policy honoring the basic certificate as indicator of adequate training, will stand in effect.

State of California

Commission on Peace Officer Standards and Training

Resolution

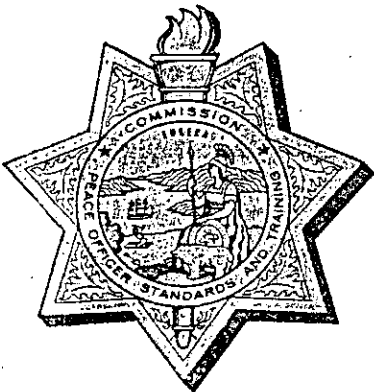
WHEREAS, Wayne C. Caldwell has served as a member of the Advisory Committee of the Commission on Peace Officer Standards and Training since 1976, and

WHEREAS, He has effectively represented the California Specialized Law Enforcement, and

WHEREAS, He has demonstrated leadership and diligence in his service as a member of the Advisory Committee; and

WHEREAS, California law enforcement has benefited greatly from his advice and counsel; Now, therefore, be it

RESOLVED, That the members of the Commission on Peace Officer Standards and Training do hereby commend Wayne C. Caldwell for his outstanding service and dedication to California law enforcement.



January 28, 1982

Date

Chairman

Executive Director

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Regulations Review - Order To Show Cause		Meeting Date January 28, 1982
Bureau Information Services	Reviewed By	Researched By Bradley W. Koch <i>B.W. Koch</i>
Executive Director Approval <i>Murray C. Beckman</i>	Date of Approval 1-12-82	Date of Report December 18, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

Recent State Legislation required that all State Regulatory Agencies conduct a comprehensive review of their regulations. This review was accomplished and submitted to OAL who, after review, served an order to show cause on the Executive Director as to why certain regulations, not meeting their review criteria, should not be repealed.

BACKGROUND

In accordance with the Administrative Code, Section 11-340 et. seq. a plan for the review of the regulations was developed and submitted to the Office of Administrative Law. A Staff Committee was selected to coordinate the review process and the Commission directed the Advisory Committee to publicly review the regulations. The findings were submitted to and approved by the Commission at its April meeting and a public hearing was held at the October Commission meeting whereby the Commission formally adopted those findings. Those revisions were submitted to OAL, which completed our portion of the review process.

However, on November 16 a letter was received from OAL indicating that some of the sections of the regulations did not meet the review criteria of Government Code Section 11349.1. They therefore issued an order directing the Commission to show cause why the regulations discussed in the order should not be repealed.

ANALYSIS

Examples of issues in question concerned such elements as the need for a 12-month probationary period, the lack of specific standards for selection and physical fitness, and the need to reference appropriate sections of PAM through the hearing process.

Discussions were held with the attorney representing OAL concerning the regulations found to be in conflict with the law as interpreted by OAL staff. The 12 sections of the regulations were discussed, some of which staff agrees could be resolved through minor changes or by adopting by reference sections of the PAM Manual as appropriate to enhance the regulations and make them more specific. Major issues of concern to OAL, like the 12-month probationary period and physical standards, are being resolved through discussion with their staff.

At this time, there appears to be a need for some technical modifications in regulations and a need to adopt specific PAM sections to be incorporated by reference, as is being proposed at this meeting on PAM Section D-11. This would necessitate an additional public hearing on the subject at the April 1982 meeting. It should be noted that the proposed changes will not alter the purpose or policy contained in the Regulations or PAM Procedures, but will only serve to clarify and "legalize" those sections concerned.

RECOMMENDATION

The requested action of the Commission is to authorize a public hearing for revision of the regulations and adoption of specific references to the PAM Manual, as appropriate, at the April 1982 Commission meeting.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Exceptions to Reading Ability Test Regulation Compliance - Regulation 1002(a)(7)		Meeting Date January 28, 1982
Bureau Standards & Evaluation	Reviewed By	Researched By John W. Kohls <i>JK</i>
Executive Director Approval <i>Norman C. Becker</i>	Date of Approval 1-8-82	Date of Report January 5, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

ISSUE:

Should applicants for employment as peace officers in California who are graduates of a POST-certified basic course or successful basic course waiver candidates be required to take a reading examination as specified in POST regulation 1002(a)(7)?

BACKGROUND:

As a result of Commission action in October, 1981, the moratorium on enforcement of the reading regulation was lifted effective January 1, 1982. Since the rescinding of that moratorium, questions have come to staff regarding the following issue: Are individuals who are transferring laterally from one agency to another required to take a reading test before they can be hired? Though staff has received inquiries mainly about lateral transfers, the larger issue that these inquiries raise is whether or not persons who have successfully completed a POST-certified basic course or completed the basic course waiver process should be required to take a reading exam. Such persons would include: (1) lateral transfers, (2) non-affiliated basic course graduates, and (3) persons who have successfully completed the Basic Course Waiver Examination process.

ANALYSIS:

When the POST reading abilities test was developed, success in basic course training was a major criterion against which the test was validated. (The test was found to predict success in academy training.) Since lateral transfers, non-affiliated basic course graduates, and successful Basic Course Waiver Examination candidates have already demonstrated their successful completion of basic course training, requiring testing of reading ability would be of questionable justification.

RECOMMENDATION:

It is recommended that staff be granted, through Commission policy, the authority to waive POST Regulation 1002(a)(7) for those law enforcement applicants who have previously successfully completed a POST-certified basic course or who have successfully completed the Basic Course Waiver Examination process.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Senate Concurrent Resolution 52 (1980) - P.C. 832 Study		Meeting Date January 28, 1982
Bureau Special Projects	Reviewed By <i>D. Beancham</i>	Researched By Brooks Wilson <i>SW</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval <i>1-12-82</i>	Date of Report January 8, 1982
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

Issue

Approval of report to Legislature to comply with Senate Concurrent Resolution 52 of 1980.

Background

SCR 52, authored by Senator Presley, directed the Commission to "... conduct a study of basic training standards for peace officers described in Section 832 of the Penal Code and to adopt a plan of action relating to the development of more appropriate training standards." The resolution also requires that the Commission report to the Legislature by January 26, 1982 the action plan which has been adopted.

Analysis

After a competitive bidding process, Dr. Bruce Olson was awarded a contract to address the legislative assignment. The contract provided for a two-phase program which addresses both the action plan described in SCR 52 and the actual implementation of the action plan. Phase I includes development of the required plan to be forwarded to the Legislature immediately after Commission approval at the January 28, 1982 meeting.

The action plan initially calls for the identification of those peace officer classifications that are required to undergo the training specified in Penal Code Section 832. Once this task has been completed, a field questionnaire is to be distributed to these groups to determine the various tasks which each type of peace officer performs. This data will be supplemented by field verification to ensure the information accurately reflects actual duties. After detailed analysis of the material which has been gathered, appropriate training standards will be developed for the affected peace officer classes.

To ensure that the actual research effort is correctly addressing the issue, two advisory groups have been formed as part of the project. The first group consists of POST personnel who will meet regularly with the contractor to assure the work being done meets the requirements of SCR 52. The second advisory group is made up of various representatives of peace officer classes addressed in the study. This group will provide the State and local input required by the resolution.

The action plan calls for the entire project to be completed prior to the end of this fiscal year. It is anticipated that a final report will be completed, and after approval by the Commission, forwarded to the Legislature for their review.

Utilize reverse side if needed

Recommendation

The Commission approve the action plan as described in the above methodology, and direct staff to prepare a suitable letter, over the Commission Chairman's signature, for submission to the Legislature.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Public Hearing - Commission Procedure D-11		Meeting Date January 28, 1982
Bureau Training Program Services	Reviewed By <i>J. D. Morton</i>	Researched By <i>Beverley Clemons</i>
Executive Director Approval <i>Norman C. Beckman</i>	Date of Approval 1-6-82	Date of Report December 17, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page ____).		

ISSUE

A public hearing for final adoption of Commission Procedure D-11 is required in accordance with the provisions of the Administrative Procedures Act and is specified in Penal Code Section 13510.(a). Included for adoption are two substantive changes approved by the Commission at the October meeting:

- (1) Include specialized agency applicants and Level I Reserve Officers in the D-11 procedures, including fees to be charged for evaluation, examination, and reexamination.
- (2) Specify a maximum of three years a person has to be hired as a California peace officer from date of completion of a POST-certified Basic Course without having to go through the waiver process to show currency of training. This amends the previous procedure specifying a fixed date of January 1, 1973.

BACKGROUND

The Office of Administrative Law requires the adoption of PAM Section D-11, Waiver of Attendance of a POST-certified Basic Course, in its totality. This will incorporate the provisions of the procedure into Regulations Section 1008 by reference, and will make the Commission Procedure valid and enforceable.

The recommended changes to PAM Section D-11 made by the Commission at the October public hearing have been incorporated into the material being submitted at this Public Hearing. The two additional substantive issues also approved by the Commission at the October meeting have been incorporated in the proposed procedure.

ANALYSIS

The adoption of Commission Procedure D-11 in its totality through the Public Hearing process establishes those Procedures to be valid and enforceable as regulations. Any amendments to the stated procedure in the future must be made in accordance with the Administrative Procedures Act (which includes a public hearing).

The proposed language, incorporating the Specialized Program and Level I Reserve into the Procedures, is shown on Addendum A. The proposed language amending the date of January 1, 1973 to a maximum of three years from completion of training to date of hire is shown on Addendum B.

RECOMMENDATION

The recommended action of the Commission is to approve the proposed language for the adoption of Commission Procedure D-11 in its totality.

*Revised:

Training

WAIVER OF ATTENDANCE OF A POST-CERTIFIED BASIC COURSE

PURPOSE

11-1. Establishes Guidelines: This Commission Procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified Basic Course. "A POST-certified Basic Course" may be the Basic Course or the Specialized Basic Investigators Course. The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Section 1005 of the Regulations. The requirements of the Basic Course are specified in POST Administrative Manual (PAM) Section D-1. The requirements of the Specialized Basic Investigators Course are specified in PAM, Section D-12. A waiver of attendance of a POST-certified Basic Course is authorized by Section 1008 of the Regulations.

- a. A waiver of attendance of a POST-certified Basic Course shall be determined through an assessment process, including evaluation and examination. The assessment process assists an agency in determining whether or not an individual should be required to attend a POST-certified Basic Course, and does not propose to determine whether or not the individual should be hired.

EVALUATION, EXAMINATION, AND REEXAMINATION FEE

11-2. Fee: A fee to cover administrative costs of evaluation, examination, and reexamination, if applicable, shall be charged by the Commission. The appropriate fee must accompany the request for evaluation, examination, and reexamination. The appropriate fee shall be determined by the Commission and shall be based on actual expenditures related to this procedure.

ELIGIBILITY

11-3. Eligibility For Evaluation: The individual for whom the request for evaluation of prior training is being made must be currently employed or under consideration for hire as a full-time law enforcement officer, as defined by Regulations Sections 1001(1) or under consideration for appointment as a Level I Reserve Officer. The request for evaluation of prior law enforcement training may be submitted to POST only by an agency participating in the POST Program.

- a. An individual is under consideration for hire when POST receives a statement from the agency head attesting to the fact that the agency has accepted an employment application from the individual and that the individual is under consideration for hire.

EVALUATION OF TRAINING

11-4. Preliminary Evaluation of Completed Training: The agency shall compare the peace officer training previously completed by the applicant against the current minimum basic course training requirements as specified in PAM, Section D-1, Basic Course or PAM, Section D-12, Specialized Basic Investigators Course, whichever is appropriate to the individual's assignment. The training that is comparable shall be documented by the agency on the Evaluation of Training Schedule, POST Form 2-260, or POST Form 2-260.1, respectively. Satisfactory training in each of the Basic Course functional areas must be documented on the form and verified by supporting documents prior to requesting an evaluation from POST. Satisfactory training must have been completed in each of the Basic Course functional areas in order for the individual to be eligible to take the Basic Course Waiver Examination (BCWE) appropriate to the individual's assignment.

- a. To qualify for an evaluation of previously completed basic course training, the individual must have successfully completed 400 hours of specific law enforcement training, of which at least 200 hours must be the successful completion of one of the following: a basic general law enforcement training course certified or approved by California POST or a similar standards agency of another state; a California reserve course; or a federal agency general enforcement basic course. Additional law enforcement training or college and/or university courses in the related subjects may be considered to complete the remainder of the required 400 hours. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.
 1. College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.
 2. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- b. To qualify for an evaluation of a previously completed basic investigators course, the individual must have successfully completed 180 hours of specific training in basic investigative subjects in a California POST-certified or approved training course, or a course certified or approved by a similar standards agency of another state, a California reserve course, or a federal agency, general or investigative enforcement basic course. In addition to the 180 hours of training, 40-hour arrest and firearms course satisfying the training requirements of P.C. 832 is also required. College or university courses in related subjects may also be considered in the evaluation. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.
 1. College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.

2. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- c. Prior training and education must be comparable to the functional areas presented in the appropriate Basic Course to be acceptable for evaluation.
1. The completed POST Form 2-260, or POST Form 2-260.1, with all supporting training and education documents shall be submitted to POST with an Application for Assessment of Basic Course Training, POST Form 2-267.
 2. The Application Form POST 2-267 is to be signed by the applicant and department head in Section 1, Request for Evaluation.
 3. Each evaluation request must be accompanied by the evaluation fee in the form of a certified check or money order, payable to the Commission on POST.

11-5. POST Evaluation Process: Upon receipt of the completed POST Forms 2-260, or 2-260.1, and POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training to verify the findings of the agency. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's college transcript must be submitted. POST may require additional supporting documents to complete the evaluation.

- a. The agency and the individual will be notified of the results of the evaluation.
 1. When the evaluation determines that prior training is acceptable the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE).
 2. Where prior training is deficient in one or more functional areas, the individual shall have up to 180 days from date of evaluation to provide additional verification of completed training without an additional evaluation fee.

BASIC COURSE WAIVER EXAMINATION

11-6. Examination Scheduling: The appropriate Basic Course Waiver Examination (BCWE) will be scheduled upon receipt of the examination fee and the completed application form.

- a. The Application for Assessment of Basic Course Training, POST Form 2-267, signed by the applicant and the department head in Section 2, Request for Examination, is to be submitted to POST with the examination fee in the form of a certified check or money order, payable to the Commission on POST.

- b. Location and Frequency of Examination: The Basic Course Waiver Examination will be administered periodically as determined by POST. The frequency will be based upon the number of applicants eligible to take the examination. The geographic location of the applicant will be taken into consideration in determining the most appropriate location for the examination to be administered.

- 1. The agency and the individual will be notified of the examination date, time, and location.

11-7. Completion of the Basic Course Waiver Examination: Each examination is divided into twelve (12) modules covering all functional areas of the Basic Course. An individual who takes the examination must demonstrate competency within each functional area by successful completion of each of the examination modules.

- a. If the individual fails three or fewer modules, the following options are available to successfully complete the failed modules:

- 1. A reexamination may be taken on each failed module. (See Section 11-8 of this procedure)
 - 2. Retraining of each failed module may be completed only through an institution certified to present the Basic Course. Retraining shall include appropriate testing by the presenter upon completion of the course. (See Section 11-9 of this procedure)

- b. If the individual fails four or more modules, reexamination or retraining shall not be allowed. The individual must then satisfactorily complete a POST-certified Basic Course in order to exercise the powers of a peace officer.

REEXAMINATION

11-8. Reexamination: The reexamination may be taken not less than 30 days from the original examination date, but no later than 180 days from the original examination date. The reexamination shall include all previously failed modules not completed through the retraining option. The reexamination on each module shall be allowed one time only and only as an alternative to retraining.

- a. A written request for reexamination on the failed module(s) must be submitted to POST with the reexamination fee in the form of a certified check or money order, payable to the Commission on POST.
- b. The agency and the individual will then be notified of the reexamination date, time, and location.
- c. An individual who fails to reexamine within 180 days from the date of the original examination, or fails any module of the reexamination must then satisfactorily complete a POST-certified Basic Course in order to exercise the powers of a peace officer.

RETRAINING

11-9. Retraining: Retraining is acceptable in each failed module not completed through the reexamination option. Retraining in each module shall be allowed one time only, and only as an alternative to reexamination.

- a. Retraining of the failed module(s) may only be completed through an institution certified to present the appropriate Basic Course. An appropriate test is required to be given by the course presenter as evidence of satisfactory completion of retraining of the failed modules. The course presenters are not obligated to offer the retraining, but may if it does not conflict with the training of full-time basic course students. Arrangements for scheduling the retraining are the responsibility of the agency or individual. A fee may be charged by the presenter of the retraining course.
- b. Verification of successful completion of the retraining module(s), including the required testing, submitted to POST within 180 days from the original examination date will satisfy the retraining requirement of the failed module(s).
- c. An individual who fails to be retrained within 180 days from the date of the original examination, or fails the retraining course, must then satisfactorily complete a POST-certified Basic Course to exercise the powers of a peace officer.

ISSUANCE OF WAIVER

11-10. Upon satisfactory completion of the assessment process, a Waiver of Attendance of a POST-certified Basic Course will be granted by POST. The waiver shall be valid for a period of time in accordance with Section 11-11 of this procedure.

PRIOR POST-CERTIFIED BASIC COURSE TRAINING

11-11. The following Procedures apply to an individual who has previously completed a POST-certified Basic Course, or has been issued a Waiver of Attendance of a POST-certified Basic Course (Section D-11-10 of this procedure) and who has not been awarded a POST Basic Certificate, a POST Specialized Basic Certificate, or Reserve Officer Certificate, and has not been continuously employed as a California peace officer as defined in Commission Regulations Section 1001(1), or appointed as a Level I Reserve Officer, and who is desiring to be employed or reemployed as a full-time California peace officer in an agency participating in a POST Program., or is desiring to be appointed or reappointed as a Level I Reserve Officer:

- a. Completion of a POST-certified Basic Course no more than three (3) years prior to date of employment, will satisfy the current minimum training requirements of either the Basic Course (PAM Section D-1), or the Specialized Basic Investigators Course (PAM, Section D-12), and no evaluation or testing is required.

- b. Completion of a POST-certified Basic Course more than three (3) years prior to date of employment, will not satisfy the current minimum basic training requirement. A waiver of attendance of a POST-certified Basic Course may be requested in accordance with this procedure to meet the current minimum training requirements for either the Basic Course or the Specialized Basic Investigators Course, as determined by the Commission.

11-12. Basic Course Acceptable for Specialized Basic Investigators Course:
An individual whose previous training satisfies the current minimum Basic Course training requirement is deemed by the Commission to have met the minimum training requirement of the Specialized Basic Investigators Course.

11-13. Specialized Basic Investigators Course Does Not Satisfy the Training Requirements of the Basic Course: An individual whose previous training satisfies the current minimum training requirement for the Specialized Basic Investigators Course is deemed by the Commission not to have met the minimum training requirement of the Basic Course. A Waiver of Attendance of a POST-certified Basic Course may be requested as described in this procedure.

Commission Procedure D-11

*Revised:

Training

WAIVER OF ATTENDANCE OF A POST-CERTIFIED BASIC COURSE

PURPOSE

11-1. Establishes Guidelines: This Commission Procedure establishes the guidelines for determining whether or not an individual's prior law enforcement training is sufficient for a waiver of attendance of a POST-certified Basic Course. "A POST-certified Basic Course" may be the Basic Course or the Specialized Basic Investigators Course. The prescribed course of training appropriate to the individual's assignment is determined by the Commission and is specified in Section 1005 of the Regulations. The requirements of the Basic Course are specified in POST Administrative Manual (PAM) Section D-1. The requirements of the Specialized Basic Investigators Course are specified in PAM, Section D-12. A waiver of attendance of a POST-certified Basic Course is authorized by Section 1008 of the Regulations.

- a. A waiver of attendance of a POST-certified Basic Course shall be determined through an assessment process, including evaluation and examination. The assessment process assists an agency in determining whether or not an individual should be required to attend a POST-certified Basic Course, and does not propose to determine whether or not the individual should be hired.

EVALUATION, EXAMINATION, AND REEXAMINATION FEE

11-2. Fee: A fee to cover administrative costs of evaluation, examination, and reexamination, if applicable, shall be charged by the Commission. The appropriate fee must accompany the request for evaluation, examination, and reexamination. The appropriate fee shall be determined by the Commission and shall be based on actual expenditures related to this procedure.

ELIGIBILITY

11-3. Eligibility For Evaluation: The individual for whom the request for evaluation of prior training is being made must be currently employed or under consideration for hire as a full-time law enforcement officer, as defined by Regulations Sections 1001(1) or under consideration for appointment as a Level I Reserve Officer. The request for evaluation of prior law enforcement training may be submitted to POST only by an agency participating in the POST Program.

- a. An individual is under consideration for hire when POST receives a statement from the agency head attesting to the fact that the agency has accepted an employment application from the individual and that the individual is under consideration for hire.

EVALUATION OF TRAINING

11-4. Preliminary Evaluation of Completed Training: The agency shall compare the peace officer training previously completed by the applicant against the current minimum basic course training requirements as specified in PAM, Section D-1, Basic Course or PAM, Section D-12, Specialized Basic Investigators Course, whichever is appropriate to the individual's assignment. The training that is comparable shall be documented by the agency on the Evaluation of Training Schedule, POST Form 2-260, or POST Form 2-260.1, respectively. Satisfactory training in each of the Basic Course functional areas must be documented on the form and verified by supporting documents prior to requesting an evaluation from POST. Satisfactory training must have been completed in each of the Basic Course functional areas in order for the individual to be eligible to take the Basic Course Waiver Examination (BCWE) appropriate to the individual's assignment.

- a. To qualify for an evaluation of previously completed basic course training, the individual must have successfully completed 400 hours of specific law enforcement training, of which at least 200 hours must be the successful completion of one of the following: a basic general law enforcement training course certified or approved by California POST or a similar standards agency of another state; a California reserve course; or a federal agency general enforcement basic course. Additional law enforcement training or college and/or university courses in the related subjects may be considered to complete the remainder of the required 400 hours. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.
 1. College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.
 2. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- b. To qualify for an evaluation of a previously completed basic investigators course, the individual must have successfully completed 180 hours of specific training in basic investigative subjects in a California POST-certified or approved training course, or a course certified or approved by a similar standards agency of another state, a California reserve course, or a federal agency, general or investigative enforcement basic course. In addition to the 180 hours of training, 40-hour arrest and firearms course satisfying the training requirements of P.C. 832 is also required. College or university courses in related subjects may also be considered in the evaluation. The completed training must be supported by a certificate of completion or similar documentation; transcripts are required to verify completed college and university courses.
 1. College or university credit in related law enforcement subjects may only be applied to those functional areas not covered through law enforcement training.

2. One semester unit shall be equal to a maximum of 20 training hours and one quarter unit shall be equal to a maximum of 14 training hours.
- c. Prior training and education must be comparable to the functional areas presented in the appropriate Basic Course to be acceptable for evaluation.
1. The completed POST Form 2-260, or POST Form 2-260.1, with all supporting training and education documents shall be submitted to POST with an Application for Assessment of Basic Course Training, POST Form 2-267.
 2. The Application Form POST 2-267 is to be signed by the applicant and department head in Section 1, Request for Evaluation.
 3. Each evaluation request must be accompanied by the evaluation fee in the form of a certified check or money order, payable to the Commission on POST.

11-5. POST Evaluation Process: Upon receipt of the completed POST Forms 2-260, or 2-260.1, and POST 2-267, all supporting documents and the appropriate fee, POST will evaluate the individual's prior training to verify the findings of the agency. Copies of peace officer academy course and reserve officer course outlines are acceptable to support the evaluation. All training must be verified by a certificate of completion or a course roster. When college courses are used to supplement training, a copy of the individual's college transcript must be submitted. POST may require additional supporting documents to complete the evaluation.

- a. The agency and the individual will be notified of the results of the evaluation.
1. When the evaluation determines that prior training is acceptable the individual will be eligible to take the appropriate Basic Course Waiver Examination (BCWE).
 2. Where prior training is deficient in one or more functional areas, the individual shall have up to 180 days from date of evaluation to provide additional verification of completed training without an additional evaluation fee.

BASIC COURSE WAIVER EXAMINATION

11-6. Examination Scheduling: The appropriate Basic Course Waiver Examination (BCWE) will be scheduled upon receipt of the examination fee and the completed application form.

- a. The Application for Assessment of Basic Course Training, POST Form 2-267, signed by the applicant and the department head in Section 2, Request for Examination, is to be submitted to POST with the examination fee in the form of a certified check or money order, payable to the Commission on POST.

- b. **Location and Frequency of Examination:** The Basic Course Waiver Examination will be administered periodically as determined by POST. The frequency will be based upon the number of applicants eligible to take the examination. The geographic location of the applicant will be taken into consideration in determining the most appropriate location for the examination to be administered.

1. The agency and the individual will be notified of the examination date, time, and location.

11-7. Completion of the Basic Course Waiver Examination: Each examination is divided into twelve (12) modules covering all functional areas of the Basic Course. An individual who takes the examination must demonstrate competency within each functional area by successful completion of each of the examination modules.

- a. If the individual fails three or fewer modules, the following options are available to successfully complete the failed modules:
 1. A reexamination may be taken on each failed module. (See Section 11-8 of this procedure)
 2. Retraining of each failed module may be completed only through an institution certified to present the Basic Course. Retraining shall include appropriate testing by the presenter upon completion of the course. (See Section 11-9 of this procedure)
- b. If the individual fails four or more modules, reexamination or retraining shall not be allowed. The individual must then satisfactorily complete a POST-certified Basic Course in order to exercise the powers of a peace officer.

REEXAMINATION

11-8. Reexamination: The reexamination may be taken not less than 30 days from the original examination date, but no later than 180 days from the original examination date. The reexamination shall include all previously failed modules not completed through the retraining option. The reexamination on each module shall be allowed one time only and only as an alternative to retraining.

- a. A written request for reexamination on the failed module(s) must be submitted to POST with the reexamination fee in the form of a certified check or money order, payable to the Commission on POST.
- b. The agency and the individual will then be notified of the reexamination date, time, and location.
- c. An individual who fails to reexamine within 180 days from the date of the original examination, or fails any module of the reexamination must then satisfactorily complete a POST-certified Basic Course in order to exercise the powers of a peace officer.

RETRAINING

11-9. Retraining: Retraining is acceptable in each failed module not completed through the reexamination option. Retraining in each module shall be allowed one time only, and only as an alternative to reexamination.

- a. Retraining of the failed module(s) may only be completed through an institution certified to present the appropriate Basic Course. An appropriate test is required to be given by the course presenter as evidence of satisfactory completion of retraining of the failed modules. The course presenters are not obligated to offer the retraining, but may if it does not conflict with the training of full-time basic course students. Arrangements for scheduling the retraining are the responsibility of the agency or individual. A fee may be charged by the presenter of the retraining course.
- b. Verification of successful completion of the retraining module(s), including the required testing, submitted to POST within 180 days from the original examination date will satisfy the retraining requirement of the failed module(s).
- c. An individual who fails to be retrained within 180 days from the date of the original examination, or fails the retraining course, must then satisfactorily complete a POST-certified Basic Course to exercise the powers of a peace officer.

ISSUANCE OF WAIVER

11-10. Upon satisfactory completion of the assessment process, a Waiver of Attendance of a POST-certified Basic Course will be granted by POST. The waiver shall be valid for a period of time in accordance with Section 11-11 of this procedure.

PRIOR POST-CERTIFIED BASIC COURSE TRAINING

11-11. The following Procedures apply to an individual who has previously completed a POST-certified Basic Course, or has been issued a Waiver of Attendance of a POST-certified Basic Course (Section D-11-10 of this procedure) and who has not been awarded a POST Basic Certificate, a POST Specialized Basic Certificate, or Reserve Officer Certificate, and has not been continuously employed as a California peace officer as defined in Commission Regulations Section 1001(1), or appointed as a Level I Reserve Officer, and who is desiring to be employed or reemployed as a full-time California peace officer in an agency participating in a POST Program., or is desiring to be appointed or reappointed as a Level I Reserve Officer:

- a. Completion of a POST-certified Basic Course no more than three (3) years prior to date of employment, will satisfy the current minimum training requirements of either the Basic Course (PAM Section D-1), or the Specialized Basic Investigators Course (PAM, Section D-12), and no evaluation or testing is required.

- b. Completion of a POST-certified Basic Course more than three (3) years prior to date of employment, will not satisfy the current minimum basic training requirement. A waiver of attendance of a POST-certified Basic Course may be requested in accordance with this procedure to meet the current minimum training requirements for either the Basic Course or the Specialized Basic Investigators Course, as determined by the Commission.

11-12. Basic Course Acceptable for Specialized Basic Investigators Course: An individual whose previous training satisfies the current minimum Basic Course training requirement is deemed by the Commission to have met the minimum training requirement of the Specialized Basic Investigators Course.

11-13. Specialized Basic Investigators Course Does Not Satisfy the Training Requirements of the Basic Course: An individual whose previous training satisfies the current minimum training requirement for the Specialized Basic Investigators Course is deemed by the Commission not to have met the minimum training requirement of the Basic Course. A Waiver of Attendance of a POST-certified Basic Course may be requested as described in this procedure.

RETRAINING

11-9. Retraining: Retraining is acceptable in each failed module not completed through the reexamination option. Retraining in each module shall be allowed one time only, and only as an alternative to reexamination.

- a. Retraining of the failed module(s) may only be completed through an institution certified to present the appropriate Basic Course. An appropriate test is required to be given by the course presenter as evidence of satisfactory completion of retraining of the failed modules. The course presenters are not obligated to offer the retraining, but may if it does not conflict with the training of full-time basic course students. Arrangements for scheduling the retraining are the responsibility of the agency or individual. A fee may be charged by the presenter of the retraining course.
- b. Verification of successful completion of the retraining module(s), including the required testing, submitted to POST within 180 days from the original examination date will satisfy the retraining requirement of the failed module(s).
- c. An individual who fails to be retrained within 180 days from the date of the original examination, or fails the retraining course, must then satisfactorily complete a POST-certified Basic Course to exercise the powers of a peace officer.

ISSUANCE OF WAIVER

11-10. Upon satisfactory completion of the assessment process, a Waiver of Attendance of a POST-certified Basic Course will be granted by POST. The waiver shall be valid for a period of time in accordance with Section 11-11 of this procedure.

PRIOR POST-CERTIFIED BASIC COURSE TRAINING

11-11. The following Procedures apply to an individual who has previously completed a POST-certified Basic Course, or has been issued a Waiver of Attendance of a POST-certified Basic Course (Section D-11-10 of this procedure) and who has not been awarded a POST Basic Certificate, a POST Specialized Basic Certificate, or Reserve Officer Certificate, and has not been continuously employed as a California peace officer as defined in Commission Regulations Section 1001(1), or appointed as a Level I Reserve Officer, and who is desiring to be employed or reemployed as a full-time California peace officer in an agency participating in a POST Program., or is desiring to be appointed or reappointed as a Level I Reserve Officer:

- a. Completion of a POST-certified Basic Course no more than three (3) years prior to date of employment, will satisfy the current minimum training requirements of either the Basic Course (PAM Section D-1), or the Specialized Basic Investigators Course (PAM, Section D-12), and no evaluation or testing is required.

- b. Completion of a POST-certified Basic Course more than three (3) years prior to date of employment, will not satisfy the current minimum basic training requirement. A waiver of attendance of a POST-certified Basic Course may be requested in accordance with this procedure to meet the current minimum training requirements for either the Basic Course or the Specialized Basic Investigators Course, as determined by the Commission.

11-12. Basic Course Acceptable for Specialized Basic Investigators Course: An individual whose previous training satisfies the current minimum Basic Course training requirement is deemed by the Commission to have met the minimum training requirement of the Specialized Basic Investigators Course.

11-13. Specialized Basic Investigators Course Does Not Satisfy the Training Requirements of the Basic Course: An individual whose previous training satisfies the current minimum training requirement for the Specialized Basic Investigators Course is deemed by the Commission not to have met the minimum training requirement of the Basic Course. A Waiver of Attendance of a POST-certified Basic Course may be requested as described in this procedure.

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title District Attorneys' Investigators and Marshals Participation in the POST Reimbursement Program		Meeting Date January 28, 1982
Bureau Field Services	Reviewed By <i>R.T. Allen</i>	Researched By George Fox <i>F</i>
Executive Director Approval <i>William C. Boehm</i>	Date of Approval 1-12-82	Date of Report January 6, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact Yes <input checked="" type="checkbox"/> (See Analysis per Details) No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

Issues

The passing of Senate Bill 201 amends Section 13510 of the Penal Code to allow regularly employed criminal inspectors/investigators of district attorneys' offices to participate in the POST Reimbursement Program.

The passing of Senate Bill 210 amends Section 13510 of the Penal Code to allow Marshals and Deputy Marshals to participate in the POST Reimbursement Program. The issues requiring Commission action are:

Shall the District Attorneys' Inspectors/Investigators training standard remain the Specialized Basic Investigators Course or the POST Basic Course, or should some other standard be required?

Shall the present 400-hour Basic Course remain the minimum training standard for Marshals and Deputy Marshals? Or, should a training standard particular to Marshals be established?

Presently, District Attorneys' Inspectors/Investigators participating in the Specialized Program receive POST Specialized Certificates. Should POST General Certificates be issued? If General Certificates are issued, should they be differentiated from certificates issued to persons having attended the Specialized Basic Investigators Course? Or, should POST continue to issue Specialized Certificates?

Presently, Marshals and Deputy Marshals participating in the Specialized Program receive POST Specialized Certificates. Should POST General Certificates be issued? Or, should POST continue to issue Specialized Certificates?

Shall currently employed officers who do not meet POST's present training standards be "grandfathered" upon their agencies entering the reimbursable program? Shall such "grandfathered" employees be individually eligible for certificates? Or, shall the agency

entering the reimbursable program be required to submit a training plan that will assure compliance with POST standards for all sworn personnel?

Shall reimbursement be retroactive to January 1, 1982?

Background

District Attorneys' Inspectors/Investigators may, at their option, participate in the non-reimbursable POST Specialized Program. The agencies that do participate in the Specialized Program have adhered to either the POST Basic Course or the Specialized Basic Investigators Course as their training standard. Up to twelve months from date of hire has been allowed for completion of basic training.

With the passage of Senate Bill 201, which amends Section 13510 and adds Section 13524 of the Penal Code, regularly employed inspectors/investigators of district attorneys' offices will be eligible to participate in the POST Reimbursement Program effective January 1, 1982. Thirty-six District Attorneys' Inspectors/Investigators units now participate in the POST Specialized Program.

Marshals may, at their option, participate in the non-reimbursable POST Specialized Program. The agencies that do participate have, since January 1, 1979, adhered to the POST Basic Course as their training standard. Prior to January 1, 1979, the standard for Marshals participating in the Specialized Program was either the POST Basic Course or the Marshals Basic Course. Up to twelve months from date of hire has been allowed for completion of basic training.

With the passage of Senate Bill 210, which amends Section 13510 of the Penal Code, Marshals and Deputy Marshals will be eligible to participate in the POST Reimbursement Program effective January 1, 1982. Sixteen county and Judicial District Marshals now participate in the POST Specialized Program.

Analysis

Basic Training Standard for District Attorneys' Inspectors/Investigators

A major policy issue concerns which training standard should be required for District Attorneys' Inspectors/Investigators. The POST Basic Course is a minimum of 400 hours. The Specialized Basic Investigators Course is a minimum of 220 hours and consists of a PC 832 Course of 40 hours and 180 hours of specialized subjects.

There is a question as to the appropriateness of requiring investigative personnel to attend a wide-range basic course designed for patrol officers. In addition, the costs to POST would be considerably greater for a course that is longer than the Specialized Basic Investigators Course. Staff proposes that the Investigators Basic Course continue as the minimum training standard. Consistent with other agencies in the reimbursable program, it is proposed that basic training be completed prior to exercise of peace officer powers, subject to exception of the 90-day Field Training Program.

Basic Training Standard for Marshals

Marshals presently participating in the POST Specialized Program adhere to the POST Basic Course as their minimum training standard.

Because marshals do not perform general law enforcement patrol and investigative duties, the POST Basic Course may not be entirely appropriate as the mandated training standard for the more specialized functions and responsibilities of these officers. There appears to be a need for a job analysis to determine the appropriate training requirements, consistent with the specific duties of marshals. Staff proposes to conduct a job analysis during 1982 and report back to the Commission. In the interim, staff recommends continuance of the POST Basic Course as the minimum training standard. Consistent with other agencies in the reimbursable program, it is proposed that basic training be completed prior to exercise of peace officer powers, subject to exception of the 90-day Field Training Program.

Type of Certificate

District Attorneys' Inspectors/Investigators and Marshals have not been and are not presently enumerated in Section 13510.1(b) of the Penal Code, which requires that the Commission shall establish certificates to adequately accomplish the "general police service duties" performed by peace officer members of city police departments, county sheriffs' departments, districts, universities, state universities and college departments, or by the California Highway Patrol.

The Commission has adopted the policy that General or Regular Certificates, as identified in Section 13510.1(b) and POST Procedure F-1-2(a), will only be issued to regular officers. Section 1001(t) of the Regulations defines a regular officer as one who is employed and paid as such and who is subject to assignment to the prevention and detection of crime and the general enforcement of the criminal laws of the state while employed by a city police department, a county sheriff's department, a regional park district, a district authorized by statute to maintain a police department, the University of California, the California State University and Colleges, a community college district, or a peace officer regularly employed and paid as such who is employed by the California Highway Patrol.

District Attorneys' Inspectors/Investigators and Marshals have been participating in the Specialized Certification Program because they have been identified by the Commission as being qualified for Specialized Certificates under the provisions of POST Regulation 1009.

If the recommended regulation changes are approved by the Commission, District Attorneys' Inspectors/Investigators and Marshals entering the reimbursable program will remain identified as specialized officers and will be eligible only for Specialized Certificates.

The POST Professional Certificate Program is presently being reviewed by staff in an attempt to resolve several areas of concern, including reciprocity of certificates/training/experience, overall value of certificates, appropriateness of current certificates, alternative methods of

recognition for the members of the law enforcement profession, licensing impact on the Professional Certificate Program, and other issues. Staff review of the Professional Certificate Program should be completed and findings presented to the Commission during 1982. At the conclusion of this study, staff will present recommendations to the Commission regarding the type of certificate appropriate for District Attorneys' Inspectors/Investigators and Marshals.

Grandfathering

The issue of "grandfathering" includes consideration for the long-standing employee who has functioned adequately without meeting POST training standards. Also, there are employees who met the standards when they were first hired, but who would not meet today's requirements. In the past, the Commission has granted "grandfather" status upon an agency's entry into the POST Program and recognized all previously issued certificates.

More recently, January 26, 1978, the Commission has ruled that specialized agencies entering the POST Program must submit a training plan agreeing to meet POST standards. This includes personnel employed prior to entry into the program as well as those who will be employed in the future.

Retroactivity of Reimbursement

Section 13510 of the Penal Code, amended, allows District Attorneys' Inspectors/Investigators and Marshals to be reimbursed effective January 1, 1982. Some jurisdictions have enacted ordinances requesting participation in the POST Reimbursement Program. They have therefore met the requirements of Section 13522 of the Penal Code. The Commission could allow retroactive reimbursement for training starting January 1, 1982, for qualifying agencies.

Regulation Changes

Attached is the Statement of Reason and a copy of the proposed regulation changes which are necessary to establish reimbursement eligibility and to establish proposed requirements for basic training and certificates.

Fiscal Impact

It is estimated that the inclusion of District Attorneys' Inspectors/Investigators in the POST Reimbursement Program could result in approximately 700 additional peace officers being added to this program. The total cost for additional training will be approximately \$91,000 annually.

It is estimated that the inclusion of Marshals and Deputy Marshals in the POST Reimbursement Program could result in approximately 1,000 additional peace officers being added to this program. The total cost for the additional training will be approximately \$215,000 annually.

Recommendations

1. Require the POST Basic Course or the Specialized Basic Investigators Course as the standard for District Attorneys' Inspectors/Investigators.

2. Require the POST Basic Course as the Marshals' training standard, and institute a job analysis to determine if more appropriate training should be developed.
3. Issue Specialized Certificates to District Attorneys' Inspectors/ Investigators.
4. Issue Specialized Certificates to Marshals and Deputy Marshals.
5. Subject to public hearing input, adopt regulation changes described in the attachment.
6. As policy, require agencies entering the program to submit a training plan that meets POST training standards for all currently employed officers.
7. Allow reimbursement for training courses commencing after to January 1, 1982, for eligible agencies whose formal requests for participation are now pending.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

PUBLIC HEARING
January 28, 1982

Statement of Reason

Existing law requires the Commission on Peace Officer Standards and Training to establish and enforce minimum standards for the recruitment and training of peace officer members of certain local agencies.

Passage of Senate Bill 201 (Chapter 710), effective January 1, 1982, amends P. C. Section 13510 to require the adoption of such standards by the commission for regularly employed and paid inspectors and investigators of a district attorney's office, as defined, who conduct criminal investigations and requires any county wishing to receive aid for the training of such inspectors and investigators to make application to the commission.

Passage of Senate Bill 210 (Chapter 966), effective January 1 1982, amends P. C. Section 13510 to add marshals and deputy marshals of a municipal court to the specified peace officers for whom the Commission must establish and enforce minimum standards for recruitment and training. The legislation also allows reimbursement for training of such peace officers upon application to the Commission.

The purpose of this Public Hearing is to adopt the proposed amendments to the regulations to meet requirements of the above legislation.

Amend Section 1001, which provides for definitions of words and terms used within the context of the Regulations, to add to existing definitions as follows:

"Department" - to add marshals' departments, and district attorney offices employing investigators.

"Department Head" - to add marshal and chief investigator of a district attorney's office.

"Specialized Peace Officer" - to add marshal, deputy marshal, and district attorney investigators and inspectors, specifically.

Amend Section 1005, which provides for the minimum standards for training, to include marshals, deputy marshals, district attorney inspectors and investigators, specifically.

Amend Section 1008, which provides for a waiver of attendance of a POST-certified Basic Course for an already trained peace officer, to make more specific to include the Specialized Basic Investigator's course.

Amend Section 1015, which provides for reimbursement, to include references to marshal and district attorney departments.

Other amendments, unrelated to the legislation above, are proposed as follows:

Repeal Section 1004(b), which requires completion of six college units within two years of employment date, which is no longer necessary.

Amend Section 1015, which provides for reimbursement, to make minor changes for technical cleanup to correct reference to sub-paragraph sections.

REGULATIONS

CALIFORNIA ADMINISTRATIVE CODE

The Regulations of the Commission on Peace Officer Standards and Training are established and adopted in compliance with and by authority of Penal Code Sections 13500 et. seq.

The Regulations are codified in Title 11, Chapter 2 of the California Administrative Code, originally effective October 23, 1960, and revised effective January 1, 1982.

TITLE 11

PEACE OFFICER STANDARDS AND TRAINING

CHAPTER 2

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Article I. General

1000. Objectives

The objectives of the Commission on Peace Officer Standards and Training are:

- (a) To raise the level of competence of regular, reserve, and specialized peace officers:
 - (1) By establishing minimum standards relating to physical, mental, and moral fitness which shall govern the selection of such peace officers, and
 - (2) By establishing minimum standards for training such peace officers.
- (b) To provide such services and aid to local law enforcement as authorized by law.

1001. Definitions

- (a) "Accredited College" is a community college, college or university accredited as such by:

1001. Definitions (continued)

- (1) The department of education of the state in which the community college, college or university is located, or
 - (2) A recognized national or regional accrediting body, or
 - (3) The state university in the state in which the community college, college or university is located.
- (b) "The Act" refers to Part 4, Title 4 of the Penal Code of California, commencing at Section 13500 and entitled, "Standards and Training of Local Law Enforcement Officers."
- (c) "Approved Course" is a curriculum that is determined by the Commission to satisfy a legislative mandate. Approved courses are outlined in the POST Administrative Manual (PAM), Section D-7.
- (d) "Assistant Department Head" is a peace officer occupying the first position subordinate to a department head, is generally responsible for supervision of middle managers and/or supervisors, and is a position for which commensurate pay is authorized.
- (e) "Certified Course" is a formal program of instruction for law enforcement for which the Commission approved individual presentations for the purpose of maintaining quality control.
- (f) "Commission" is the Commission on Peace Officer Standards and Training.
- (g) "Commuter Trainee" is one who attends a training course and travels between his or her department or normal residence and the course site each day.
- (h) "Department" in the Regular Program is a city police department, a county sheriff's department, a regional park district, a district authorized by statute to maintain a police department, the California Highway Patrol, the University of California Police, and the California State University and Colleges Police, marshals departments, district attorney offices employing investigators, and the Community College District Police; or in the Specialized Program is a specialized agency, department, division, branch, bureau, unit, section, office or district that provides investigative or general law enforcement services.
- (i) "Department Head" in the Regular Program is the chief of police, sheriff, marshal, chief investigator of a district attorney's office, or chief executive of a department; or in the Specialized Program is the peace officer chief law enforcement executive, directly responsible for administration of the specialized law enforcement function of an agency.

1001. Definitions (continued)

- (r) "POST Administrative Manual (PAM)" is a document containing Commission Regulations and Procedures, and Guidelines which implement the Regulations.
- (s) "Quasi-Supervisory Position" is a peace officer position above the operational level position, for which commensurate pay is authorized, is assigned limited responsibility for the supervision of subordinates, or intermittently is assigned the responsibility of a "First-level Supervisory Position", and most commonly is of a rank below that of Sergeant.
- (t) "Regular Officer" is a peace officer regularly employed and paid as such who is subject to assignment to the prevention and detection of crime and the general enforcement of the criminal laws of this state while employed by a city police department, a county sheriff's department, a department or district enumerated in Penal Code Section 13507, or the California Highway Patrol.
- (u) "Reimbursement" is the financial aid allocated from the Peace Officer Training Fund, as provided in Section 13523 of the Act.
- (v) "Reimbursement Plan" consists of a combination of training-related expenditures for which reimbursement is approved by the Commission.
- (w) "Resident Trainee" is one who, while away from his or her department or normal residence, attends a training course and takes lodging and meals at or near the course site for one or more days/nights.
- (x) "Specialized Law Enforcement Agency" is:
 - (1) A segment of an agency which has policing or law enforcement authority imposed by law and whose employees are peace officers as defined by law; or
 - (2) An agency engaged in the enforcement of regulations or laws limited in scope or nature; or
 - (3) An agency that engages in investigative or other limited law enforcement activities in the enforcement of criminal law; and
 - (4) Authorized by the Commission to participate in the Specialized Law Enforcement Certificate Program.
- (y) "Specialized Peace Officer" is a marshal or deputy marshal of a municipal court, a regularly employed and paid inspector or investigator of a district attorney's office as defined in Section 830.1 P.C. who conducts criminal investigations or a peace officer employee of a specialized law enforcement agency authorized by the Commission to participate in the Specialized Law Enforcement Certificate Program.
- (z) "Trainee" is an employee of a department who is assigned to attend a POST-certified course.

1004. Conditions for Continuing Employment

- (a) Every peace officer employed by a department shall be required to serve in a probationary status for not less than 12 months.
- ~~(b) Every peace officer employed by a department shall at the date of hire or within 24 months have been awarded by an accredited college and/or university no less than 6 college and/or university semester units or 9 quarter units acceptable to the Commission.~~

1005. Minimum Standards for Training

(a) Basic Course (Required)

Penal Code Section 832.3 requires that peace officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is the Basic Course. Penal Code Section 832.3 further provides that peace officers who have not completed an approved course may exercise the powers of a peace officer while participating in a field training program approved by the Commission on Peace Officer Standards and Training.

- (1) Every regular officer and marshal or deputy marshal of a municipal court, except those participating in a POST-approved field training program, shall be required to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include the prevention and detection of crime and the general enforcement of state laws.

Requirements for the Basic Course are set forth in PAM, Section D-1.

- (2) Every regularly employed and paid inspector and investigator of a district attorney's office as defined in Section 830.1 P.C. who conduct criminal investigations, except those participating in a POST-approved field training program, shall be required to satisfactorily meet the training requirements of the Specialized Basic Investigators Course or may elect to satisfactorily meet the training requirements of the Basic Course before being assigned duties which include performing specialized enforcement or investigative duties.

Requirements for the Specialized Basic Investigators Course and the Basic Course are set forth in PAM, Section D-12 and PAM Section D-1, respectively.

- (3) ~~(2)~~ Regular Program agencies may assign newly appointed sworn personnel as peace officers for a period not to exceed 90 days from date of hire, without such personnel being enrolled in the Basic Course, if the Commission has approved a field training plan submitted by the agency and the personnel are full-time participants therein.

Requirements for POST-approved Field Training Programs are set forth in PAM, Section D-13.

1005. Minimum Standards for Training (continued)

- (4) ~~(3)~~ Every specialized officer, except marshals, deputy marshals, and regularly employed and paid inspectors and investigators of a district attorney's office, shall satisfactorily meet the training requirements of the Basic Course, PAM, Section D-1, within 12 months from the date of appointment as a regularly employed specialized peace officer; or for those specialized agency ~~trainees~~ peace officers whose primary duties are investigative and have not completed the Basic Course, the chief law enforcement administrator may elect to substitute the Specialized Basic Investigators Course, PAM, Section D-12.

(b) Supervisory Course (Required)

- (1) Every peace officer promoted, appointed or transferred to a first-level supervisory position shall satisfactorily complete a certified Supervisory Course prior to promotion or within 12 months after the initial promotion, appointment or transfer to such position.
- (2) Every regular officer who is appointed to a first-level supervisory position shall attend a certified Supervisory Course and the officer's jurisdiction may be reimbursed provided that the regular officer has been awarded or is eligible for the award of the Basic Certificate.
- (3) Every regular officer who will be appointed within 12 months to a first-level supervisory position may attend a certified Supervisory Course, provided that the officer has been awarded or is eligible for award of the Basic Certificate.
- (4) Every regular officer who is assigned to a quasi-supervisory position may attend a certified Supervisory Course and the officer's jurisdiction may be reimbursed for allowable travel and subsistence expenses only following satisfactory completion of such training, provided that the officer has been awarded or is eligible for award of the Basic Certificate.
- (5) Requirements for the Supervisory Course are set forth in PAM, Section D-3.

(c) Management Course (Required)

- (1) Every peace officer promoted, appointed or transferred to a middle management position shall satisfactorily complete a certified Management Course prior to promotion or within 12 months after the initial promotion, appointment or transfer to such position.
- (2) Every regular officer who is appointed to a middle management or higher position shall attend a certified Management Course and the jurisdiction may be reimbursed, provided the officer has satisfactorily completed the training requirements of the Supervisory Course.

1013. Code of Ethics

The Law Enforcement Code of Ethics, as stated in PAM, Section C-3, shall be administered to all peace officer trainees during the Basic Course or at the time of appointment.

1014. Training for Non-Sworn and Paraprofessional Personnel

- (a) Reimbursement shall be provided to Regular Program agencies for the training of non-sworn personnel performing police tasks and paraprofessional personnel, as determined by the Commission. (See Regulation 1015 and PAM Section E-1-3-f)
- (b) Request for Approval
 - (1) Non-Sworn or Paraprofessional Personnel. Whenever it is necessary for the employing jurisdiction to obtain prior written approval from the Commission for non-sworn or paraprofessional personnel to attend reimbursable training, the agency shall include in the approval request the following information regarding each individual. (See PAM, Section E-1-3-f)
 - (A) The trainee's name and job title.
 - (B) Job description.
 - (C) Course title, location and dates of presentation.
 - (2) Request for approval must reach the Commission 30 days prior to the starting date of the course.
- (c) Reimbursement

Reimbursement for non-sworn and paraprofessional personnel is computed in the same manner (except as noted below) as for sworn personnel according to the reimbursement plan for each course appropriate for the employee's classification as set forth in PAM, Section E-1-3-f. Note: No reimbursement is provided for the training of non-sworn personnel for expenses associated with courses enumerated in Regulation 1005(a)(b)(c)(d)(e), except as provided in PAM, Section E-1-3-f (3).

1015. Reimbursements

(a) Proportionate Reimbursement

In the Regular Program, reimbursements to cities, counties, and districts shall be granted by the Commission in accordance with Section 13523 Penal Code.

- (1) Marshals' and district attorneys' departments are included in the Regular Program for reimbursement even though individual officers employed by the agencies have retained specialized officer classification.

1015. Reimbursements (continued)

(b) Claims for Reimbursement

Claims must be submitted on forms provided by the Commission and received no later than ninety days after the completion of a certified course.

All claims for training expenditures eligible for reimbursement from the Peace Officer Training Fund are subject to the following provisions:

- (1) Claims received more than 90 days, but less than 180 days, following the completion of a certified training course shall be reduced by 25% of the approved reimbursable amount.
- (2) Claims received more than 180 days following the completion of a certified training course shall not be reimbursed.

- (c) Notwithstanding the provisions of sub-paragraph (b) of this Section, upon a regular officer's appointment and within one year from satisfactory completion of training enumerated in sub-paragraph (b)(3), (c)(3) or (e)(2) ~~(b)(2)(B), (c)(2)(B) or (e)(2)(B)~~ of Regulation 1005, the officer's jurisdiction may be reimbursed.

(d) Training Expenses May Be Claimed Only Once

When a Regular Program trainee has attended a course certified by the Commission for which reimbursement has been legally claimed and paid, an employing jurisdiction may not receive reimbursement for subsequent attendance by the same trainee of the same course unless attendance of the course is authorized to be repeated periodically, such as for Seminars, Advanced Officer Courses, and selected Technical Courses which deal with laws, court decisions, procedures, techniques and equipment which are subject to rapid development or change. Exceptions or special circumstances must be approved by the Executive Director prior to beginning the training course.

(e) Reimbursement Limited to Actual Expenses

Reimbursement is provided only for expenses related to attendance of POST certified courses. Reimbursement is limited to expenses as described in PAM, Section E, or actually incurred expenses which are approved by the Commission, whichever is less.

- (f) Reimbursement may be provided only for satisfactorily completed training acquired by full-time employees in an on-duty status. (See PAM, Section E-1-3-i & k)
- (g) Reimbursement may be made to a jurisdiction which terminates a Regular Program trainee or allows a trainee to resign prior to completion of a certified Basic Course, provided the requirements of Section 1002(a) (1) through (6) have been completed prior to the trainee's appointment date and the date the course began.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Public Hearing--Repealing of Regulation 1004(b)		Meeting Date January 28, 9182
Bureau Field Services	Reviewed By <i>R. J. Allen</i>	Researched By George Fox <i>J</i>
Executive Director Approval <i>Murray C. Brechin</i>	Date of Approval 1-12-82	Date of Report January 4, 1982
Purpose: Decision Requested <input type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input checked="" type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

A public hearing is being conducted to amend Commission Regulations by deleting Section 1004(b), which requires, as a condition of continuing employment, that every peace officer complete six semester or nine quarter college or university units within 24 months of the date of hire.

BACKGROUND

The Commission for many years has required that, "every peace officer employed by a department shall at the date of hire or within 24 months have been awarded by an accredited college and/or university, no less than six college and/or university semester units or nine quarter units acceptable to the Commission."

The Symposium on Professional Issues Task Force on Education and Training reviewed Regulation 1004(b) and concluded the requirement should be deleted. The Task Force observed that colleges presently award six or more units for completion of the POST-Required Basic Training Course. For that reason, Task Force members believe the regulation serves no real purpose.

The Commission, at its July 16, 1981 meeting, approved the Task Force's recommendation that POST eliminate the six-unit requirement (POST Regulation 1004(b)) as a condition of continuing employment.

In addition, staff of the Office of Administrative Law have since questioned the appropriateness of the regulation because of the lack of subject matter specificity.

ANALYSIS

The present regulation provides that six units be completed within 24 months but does not address the type of courses that are to be completed. Any and all college-level courses fulfill the requirements.

Currently, there exists some potential for out-of-state trained individuals and other individuals qualifying for the Basic Course Waiver Process to be employed, continue to be employed, and not possess six college units.

It is doubtful that an otherwise capable and successful officer would be, or could be, terminated at the end of the 24 months just on the basis that the six-unit requirement was not met.

In the past, educational standards have been controversial, with some law enforcement managers, trainers, and educators expressing a need for increased education for peace officers. Conversely, some feel that higher educational standards cannot be justified on the basis of "job relatedness."

Section 13510(b) of the Penal Code directs POST to conduct research and adopt standards for job-related educational and other standards by January 1, 1985. This validation study will soon be initiated and will address entry-level standards rather than conditions for continuing employment.

RECOMMENDATIONS

Subject to field input at Public Hearing, that the Commission repeal Section 1004(b) of the Commission Regulations.

REGULATIONS

CALIFORNIA ADMINISTRATIVE CODE

The Regulations of the Commission on Peace Officer Standards and Training are established and adopted in compliance with and by authority of Penal Code Sections 13500 et. seq.

The Regulations are codified in Title 11, Chapter 2 of the California Administrative Code, originally effective October 23, 1960, and revised effective January 1, 1982.

TITLE 11

PEACE OFFICER STANDARDS AND TRAINING

CHAPTER 2

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Article I. General

1004. Conditions for Continuing Employment

- (a) Every peace officer employed by a department shall be required to serve in a probationary status for not less than 12 months.
- ~~(b) Every peace officer employed by a department shall at the date of hire or within 24 months have been awarded by an accredited college and/or university no less than 6 college and/or university semester units or 9 quarter units acceptable to the Commission.~~

1005. Minimum Standards for Training

(a) Basic Course (Required)

Penal Code Section 832.3 requires that peace officers of cities, counties and districts complete a course of training approved by the Commission on Peace Officer Standards and Training before exercising the powers of a peace officer. The course of training approved by the Commission is the Basic Course. Penal Code Section 832.3 further provides that peace officers who have not completed an approved course may exercise the powers of a peace officer while participating in a field training program approved by the Commission on Peace Officer Standards and Training.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Peace Officer Licensing		Meeting Date January 28, 1982
Bureau Executive Office	Reviewed By	Researched By Don Beauchamp <i>DB</i>
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 1-6-82	Date of Report January 6, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact		Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

Issue

The Commission, at its October 23, 1981 meeting, directed the Commission's Legislative Review Committee to explore the issue of peace officer licensing and recommend an appropriate course of action for the Commission to consider at the January 1982 meeting.

Background

At its July 16, 1981 meeting in San Diego, the Commission voted to "support legislation which would upgrade the POST basic certificate to license status," with certain conditions. These conditions were:

1. Include only participants in POST reimbursement program in the licensing proposal.
2. Require completion of the POST basic course and passage of an examination.
3. Make sure "subject matter" exam and "equivalency" exam are kept separate.
4. Move effective date to January 1, 1984.
5. Require completion of POST FTO program.
6. Ensure licensing does not immunize the holder from local discipline.
7. Expand requirements and conditions for revocation.

At the October 23, 1981 Commission meeting in Sacramento, a motion was passed directing the Commission's Legislative Review Committee to consider all the elements of licensing. The intent was to have the Committee explore the issue of police licensing in a more in-depth fashion and recommend an appropriate course of action for the Commission to consider at a later meeting. Particular attention was to be paid to the issue of what peace officer groups should be subject to licensing.

Analysis

Based upon available information, it is estimated there are currently about 66,000 persons classified as some form of peace officer in the State of California. Of this total, there are approximately 45,000 who are now participating in the POST reimbursement program. Another 8,000 are meeting POST standards via the non-reimbursement program. There are, therefore, approximately 13,000 California peace officers who are not subject

Analysis (Con't)

to POST selection and/or training standards. Appendix A contains detailed population and basic training information on the various peace officer groups.

The issues surrounding the licensing of peace officers are many, both for and against. Some of the arguments are:

In Favor of Licensing

- Uniform state-mandated selection and training standards for all peace officers, supported by testing.
- Revocation of peace officer powers of persons no longer qualified.
- Enhanced lateral mobility for duly licensed peace officers.
- Greater emphasis on pre-service training.
- Reduction in the number of peace officer classes.

In Opposition to Licensing

- The same results can be accomplished within the existing POST framework, by legislatively including all peace officers.
- Lessening of local control.
- Potential for increased cost to local government.
- Increases state administrative costs.
- Potential for adverse effect on protected classes.

Appendix B lists twenty key provisions which have been identified by law enforcement groups as possible elements to be addressed by licensing. There is not universal agreement as to which of these provisions should be included or excluded. In summarizing the Appendix B chart, it appears that only the provisions relating to the client group, the reimbursement group, and the penalty section would require law changes. All of the other provisions could be accomplished through a change in POST Regulations, if the Commission so desired.

Licensing proponents agree that POST has had the ability, by administrative regulation, to implement many of the provisions now being discussed as part of licensing legislation. The Commission, in past years, has chosen not to administratively move in this direction for a variety of reasons. These included:

- A lack of interest by the client groups served.
- A possibility that current funding levels for participating agencies could be reduced if new agencies were brought into POST.

Analysis (Con't)

- POST was initially created to serve only local police and sheriff's personnel, and licensing all classes would radically alter that role.
- It could be perceived as "empire building" by local and state government.

The supporters of licensing feel that POST will not move voluntarily into the licensing concept; therefore separate law is needed to specifically spell out the authority, responsibility, and scope of police licensing in California.

POST costs associated with licensing could vary greatly, depending on factors such as who is to be included, whether or not a fee system is implemented, whether or not POST training reimbursement is expanded to include new groups, and what features are included as part of the licensing program. It is obvious that there will be additional expenditures required if the licensing concept is adopted, regardless of the final form it takes. The possibility of seeking additional revenues for POST as part of the licensing legislation is an option that could be considered.

Recommendations

After a discussion on the issue of licensing peace officers, the Committee makes the following recommendation:

- The Commission continue to support the concept of peace officer licensing, however, modify the action taken at the July 16, 1981 Commission meeting to the following:
 1. POST be identified as the control agency.
 2. Require all peace officers to be licensed.
 3. Require completion of a certified POST basic course and/or passage of an appropriate waiver examination as a requisite to licensing.
 4. Ensure that the "proficiency test" and the "basic course waiver examination" are separately maintained.
 5. Require that the "license" and the current POST certificate program be separately maintained.
 6. Set January 1, 1984 as the implementation date to be included in any legislation.
 7. Ensure that licensing does not immunize the holder from any locally imposed discipline.
 8. Ensure that the POST reimbursement program is not expanded to include new groups, unless additional revenues are allocated sufficient to cover the added costs.

Recommendations (Con't)

9. Require that there be minimum selection standards.
10. Require that there be minimum training standards, to include a training maintenance program.
11. Require that a license revocation process be included.
12. Require that a fee structure be devised to cover all administrative costs associated with licensing.
13. Require that a criminal penalty clause be a part of any legislation, to ensure sanctions are available for misuse of the license.
14. Require that there be employment, status and termination reporting to allow for accurate record-keeping.
15. Provide for a temporary license program to ensure agencies can immediately utilize newly appointed peace officers who have met all of the requirements.

Should the Commission act to reaffirm its support of licensing and choose to move ahead in developing appropriate legislation, the Committee recommends that an appropriate ad-hoc group of POST Commissioners be appointed to assure that the Commission's concerns and positions are reflected in the draft of any actual legislation. This ad-hoc group would assist in legislation formulation and then participate in several meetings to be held throughout the State for the purpose of assessing field sentiment regarding licensing. The final act of the ad-hoc group would be to provide input to the Commission's Legislative Review Committee which in turn would recommend whether to support, oppose or stay neutral on the legislation which may be introduced. A special meeting of the full Commission to receive the report may be necessary.

PEACE OFFICER INFORMATION
(Population and Training Information)

Penal Code Section	Title	Total Number	Reported Number of Basic Trainees 1980/81		
			Regular Basic	Inv. Basic	P. 83
<u>Reimbursable Personnel</u>					
830.1	Police, Sheriffs				
830.2	U.C. Police, CSU & College Police, Marshals, D.A. Invest.				
830.31	Community Colleges, BART	45,079	3,666		
	TOTALS	45,079	3,666		
<u>Non-reimbursable Personnel</u>					
830.1	Constable	Unknown			0
	Department of Justice	180		10	
830.2	Calif. Highway Patrol	5,033	184		
	State Police	197	13		
	Dept. of Corrections (law enforcement liaison)	15			0
	Dept. of Fish & Game	280			26
	Dept. of Parks & Recreation	700	41		21
830.3	ABC	157			9
	Dept. of Consumer Affairs (Bureau of Investigations)	42			4
	Dept. of Consumer Affairs (Med. Qual. Assurance)	3			3
	Division of Forestry	320			6
	Dept. of Motor Vehicles	18			6
	Racetrack Investigation	10			0
	State Fire Marshal	10			2
	Food/Drug Inspection	85			2
	Labor Stds. Enforc. Inv.	50			5
	Health Services, Investigations	45			3
	Insurance Fraud, Investigations	10			0
830.31	Arson Invest. State & Local Dist.	Unknown			315
	Local Park Rangers	Unknown			207
	Welfare Fraud, Child Support Invest. Counties	18			0
	Coroners/Coroners Investigation	21			0
	Harbor Police	59			29
	Security Officers- Municipal Utility Districts	Unknown			1

APPENDIX "A"

Penal Code Section	Title	Total Number	Reported Number of Basic Trainees 1980/81		
Non-reimbursable Personnel			Regular Basic	Inv. Basic	P.C. 832
830.4	Security Officers - State Police	20			1
	Sgt. at Arms - Legislature	60			3
	Bailiffs - Supreme Court	5			0
	Treasury Department Guards	10			0
	Mental Health - State Hospitals	65			0
	RR Police	271			8
	School District Police	Unknown			103
	Rapid Transit District	27			7
	Airport Police	Unknown			25
	Parole & Probation	7,500			375
	Correctional Officers (Investigations)	6,300			1,710
830.5	TOTALS	21,511	238	10	2,871
	GRAND TOTALS	66,590	3,863	10	2,871

LICENSING ELEMENTS

Feature	Current POST Program	Option Now Available to POST	Requires Law Change
1. Client group modification			X
2. Certificate program	X		
3. Certificate replacement program	X		
4. Selection standard setting		X	
5. Training standard setting	X		
6. Test program		X	
7. Training waiver program	X		
8. Employment requirement	X		
9. Training reimbursement group modification			X
	(Only for Test)		
10. Fee provision	X		
11. Professional Title provision		X	
12. Requalification provision		X	
13. Ethical conduct provision		X	
14. Revocation provision	X		
15. Suspension revision		X	
16. Investigation responsibility	X		
17. Temporary certificate provision		X	
18. Penalty Section			X
19. Employment/termination reporting	X		
20. Funding source change			X

AGENDA ITEM SUMMARY SHEET

Agenda Item Title 82-83 INTERAGENCY AGREEMENT - AUDITING SERVICES - STATE CONTROLLER'S OFFICE		Meeting Date January 29, 1982
Bureau Administrative Services Bureau	Reviewed By <i>John B. Davidson</i>	Researched By John B. Davidson, Bureau Chief
Executive Director Approval <i>Norman C. Beebe</i>	Date of Approval 1-8-82	Date of Report January 8, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e. g., ISSUE Page _____).

Issue

It is requested that an interagency agreement be negotiated with the State Controller to provide an audit service to POST on training claims submitted by local agencies.

Background

POST has a need to audit the training claims made by local agencies against the Peace Officer Training Fund. For the past nine years these audits have been conducted by the State Controller.

Analysis

Each year since 1972-73, 50 agencies have been selected for audit. An exception was made in 1980-81 when only 21 agencies were audited and 700 hours were expended in an auditing study of POST Administrative and accounting control systems. Amounts varying from \$13,000 to \$123,000 have been recovered annually as a result of the audits. Due to the fact that the 80-81 audits were not completed by the Controller's Office on time, the contract authorized by the Commission for 81-82 was not negotiated. The funds being requested for 82-83 therefore will provide the first contract in a two year period.

Recommendation

It is recommended that authorization be given to negotiate an agreement with the State Controller in the amount of \$70,000 to conduct local agency reimbursement claim audits for Fiscal Year 1982-83. It is estimated that this will provide sufficient funds to audit four large, fifteen medium and twenty-five small agencies.

Utilize reverse side if needed

AGENDA ITEM SUMMARY SHEET

Agenda Item Title California Peace Officer's Legal Sourcebook		Meeting Date January 28, 1982
Bureau Training Program Services	Reviewed By <i>[Signature]</i>	Researched By <i>Holly L. Mitchum</i>
Executive Director Approval <i>[Signature]</i>	Date of Approval 1-12-82	Date of Report December 17, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input checked="" type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUES

At the October 23, 1981 Commission meeting, Commissioner Bjornien introduced a motion to consider funding approximately \$350,000 for publication of the California Peace Officer's Legal Sourcebook. Staff was directed to study the concept, including contacting Arizona law enforcement representatives to assess the value of a similar manual used in that state. That report was to have been taken to the Budget Committee for their review and recommendation.

BACKGROUND

In March, 1981, the California Attorney General's Office employed Mr. Dale Anderson, to assist in the development of the Sourcebook. The book is modeled after, and designed to improve upon, the Arizona manual.

Plan of the Attorney General's Office was to distribute the publication to all municipal police officers, county sheriff's deputies, members of the California Highway Patrol, and all other peace officers in the POST regular program. In addition, it is planned that deputy district attorneys receive the Sourcebook.

The Attorney General's Office plans to provide ongoing information pertaining to new legislation and case law decisions in order to ensure that the book is both a comprehensive, as well as timely resource.

Significant progress in the development of the Sourcebook has already been completed. It is expected that the document will be ready for publication prior to the end of the 1981/82 Fiscal Year.

ANALYSIS

A survey was conducted by POST staff of 10 Arizona law enforcement agencies' use of the Arizona Law Enforcement Officer's Manual. The manual is used as a resource document by all recruits attending basic training. The county deputy attorneys who conduct Arizona law and legal information classes are continuing to rely on their own materials rather than the manual for teaching purposes. Department of Public Safety Academy instructors are not utilizing the manual in advanced officer training. The community colleges do use the manual in their criminal justice courses.

There was a general consensus that the manual is a good resource document, but that many Arizona peace officers simply fail to use it.

Based upon the information gathered from Arizona peace officers, county attorneys, and California legal advisors, it appears that the Sourcebook would be a valuable legal resource that could be made available to departments on a limited issue basis.

Funding the distribution of a limited number of Sourcebooks will be a far more cost effective means to make the manual available. In addition, providing updates will be much easier to control and far less expensive than the current methods being proposed by the Attorney General's Office.

On November 17-18, 1981, in Oakland, an Attorney General's representative made a presentation on the Sourcebook to the POST Basic Course Consortium (composed of all academy directors or basic course coordinators). The consortium recommended that any decision on use of the Sourcebook by recruits in the basic academies be deferred until criminal law subject matter experts review it as to its potential usability (in the field and academies) and flexibility. Subject matter experts will be meeting in March, 1982 to update the criminal law area and to discuss the Sourcebook.

The Commission Budget Committee met in Fresno, November 3, 1981, to consider budget change proposals and the proposal by the Attorney General to fund the printing of the Sourcebook.

After a thorough discussion of the issue and several alternatives with regard to publishing, it was moved and carried that POST would provide sufficient funding to publish 5,000 copies of the manual. The copies would be distributed as follows:

Each law enforcement agency	* 2 copies	(2,920)
*(Each agency would receive a minimum of two copies with larger departments receiving additional copies proportionate to their size.)		
Each basic recruit	1 copy each	(1,400)
District Attorney Offices (to include field offices)	1 copy each	(80)
Total copies for pilot study	600 copies	<u>(600)</u>
		5,000

The Budget Committee recommended that as part of the distribution process, a pilot study be conducted to assess use of the Sourcebook within a large, medium and small agency. All personnel of the rank of sergeant and above would receive copies of the book. POST staff would commend an evaluation process, six months from the date of original distribution, in order to determine: 1.) extent of use within test agencies; 2.) nature of use (training purposes, reference purposes, etc.) and 3.) degree to which updates are prepared and distributed in a timely manner. It should be noted that the Committee's recommendation for funding of 5,000 copies is predicated upon assurances from the Attorney General's Office that it will assume responsibility for providing accurate and timely updates to the Sourcebook.

Because of time delays in producing and distributing updates to the Arizona Manual coupled with a reported decline in its use, it is staff's recommendation that the pilot study be twelve months rather than six months, from the date of initial distribution. In addition, it is suggested that a limited number of copies be distributed to patrolmen, field training officers and detectives within test agencies, in order to ascertain the extent to which the Sourcebook may be needed and utilized by personnel in these conditions. The 600 copies reserved for the study will provide sufficient resources for this purpose.

RECOMMENDATION

If the Commission concurs with the Budget Committee's recommendation as outlined, it should be approved, along with authorization for the Executive Director to enter into a contract for publication of 5,000 copies of the California Peace Officers' Legal Sourcebook at a cost of approximately \$6.93 each for a total cost of approximately \$35,000.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Executive Development Course Contract Fiscal Year 82/83		Meeting Date January 28, 1982
Bureau Training Program Services	Reviewed By <i>[Signature]</i>	Researched By Michael C. DiMiceli
Executive Director Approval <i>[Signature]</i>	Date of Approval	Date of Report December 4, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page ____).		

ISSUE

Commission review and approval of the Executive Development Course contract cost as proposed for Fiscal Year 1982/83 are required to authorize the Executive Director to enter into contracts with presenters.

BACKGROUND

The single contractor for the Executive Development Course, Cal-Poly Kellogg Foundation, currently provides five presentations per year with 20 trainees per presentation.

The contract costs for FY 1981/82 are \$47,350 for five presentations.

Commission Regulation 1005(e) provides that every regular officer who is appointed to an executive position may attend the Executive Development Course and the jurisdiction may be reimbursed provided the officer has satisfactorily completed the training requirements of the Management Course.

ANALYSIS

The California State Polytechnic University, Pomona, has been under contract to present the Executive Development Course since October, 1979. The presentations have been well received by law enforcement executives. The presenter has developed a special expertise in presenting POST executive and management training. Because of this expertise the presenter has attracted a high quality group of instructors and coordinators.

The estimated Fiscal Year 1982/83 cost for five presentations should not exceed \$52,100. This amount allows for anticipated increases over Fiscal Year 1981/82 costs due to increased costs for instructors, coordination, facilities and materials as may be allowable by tuition guidelines.

RECOMMENDATION

Staff recommends that the Commission authorize the Executive Director to negotiate a contract with Cal Poly Kellogg Foundation to present five (5) presentations of the Executive Development Course during Fiscal Year 1982/83 not to exceed a contract cost of \$52,100. Negotiated contract will be returned for Commission approval to the April meeting.

EXECUTIVE DEVELOPMENT COURSE

Proposed Curriculum

The proposed curriculum, summarized below by instructional topic title, was developed by the process described earlier. The continual review and evaluation serves to identify individual topics that may be added or deleted within the major subject areas, as appropriate to maintain the relevance and quality of the curriculum.

The proposed curriculum for the Executive Development Course includes:

o Leadership and Management

- Perspectives in Public Management
- Executive Viewpoint
- Styles of Managerial Behavior
- Modernization through Leadership

o Organizational Development

- Transactional Analysis and Organizations
- Theory and Politics of Fiscal Planning
- Personnel and Equal Employment
- Organizational Performance Evaluation

o Legal Responsibilities

- Vicarious Liability and the Law Enforcement Executive
- Labor/Management Relations

o Communications

- Written Communications
- Verbal and Non-Verbal Communications
- Meetings and Personal Appearances
- Police-Media Relations

o Contemporary Issues

- Stress and Police Managers
- Management Information Systems
- Uncertain Future of Public Management
- Critical Issues

Revised:
~~July 1, 1980~~
April 15, 1982

Training

EXECUTIVE DEVELOPMENT COURSE

Purpose

5-1. Specification of the Executive Development Course: This Commission Procedure implements that portion of the Minimum Standards for Training established in Section 1005(e) of the Regulations which relate to Executive Development.

Content and Minimum Hours

5-2. Executive Development Course Subjects and Minimum Hours: The Executive Development Course is a minimum of 80 hours and consists of the following ~~subjects~~ subject areas:

~~5-3. Introduction:~~

- ~~a. Introduction and Overview of the Course~~
- ~~b. Challenge of Crime in Society~~
- ~~c. Role of Police in Society~~

~~4. Internal Management:~~

~~a. Personnel Administration~~

- ~~1. Management by Objectives~~
- ~~2. Police Manager Development~~
- ~~3. Motivation Techniques~~
- ~~4. Delegation of Responsibility~~
- ~~5. Training~~
- ~~6. Counseling and Interviews~~
- ~~7. Performance Review and Evaluation~~
- ~~8. Grievance Procedures~~
- ~~9. Morale and Discipline~~
- ~~10. Improving Supervision~~
- ~~11. Improving Middle Management~~

~~b. Management Techniques and Aids~~

- ~~1. Planning and Research~~
- ~~2. Information Management and Automatic Data Processing~~
- ~~3. Police Legal Advisor~~
- ~~4. Use and Impact of New Technology in Police Management~~
- ~~5. Decision Making~~

~~c. Operations Management~~

- ~~1. Formulation and Implementation of Policy~~
- ~~2. Staff Inspections~~
- ~~3. Internal Investigation Maintaining Integrity~~
- ~~4. Application of Science and Technology~~
- ~~5. Planning for Civil Disorders and Major Emergencies~~

CP D-5

~~July 1, 1974~~
April 15, 1982~~Content and Minimum Hours (continued)~~~~d. Fiscal Management~~

- ~~1. Sources of Revenue~~
- ~~2. Budget Process, Preparation and Presentation~~
- ~~3. Wage and Salary Administration~~
- ~~4. Inventory and Control of Equipment and Facility~~

~~5-5. Environmental Relationships:~~

- ~~a. Inter- and Intra-Governmental Relationships~~
- ~~b. Urban Planning and the Police~~

~~5-6. Community Relations:~~

- ~~a. Importance of Adequate Policy and Procedures~~
- ~~b. Community Relations Program Management~~
- ~~c. Processing Citizen Complaints~~
- ~~d. Group Information Media~~
- ~~e. Groups Within the Community~~
- ~~f. Community's Role in Crime Prevention and Control~~
- ~~g. Evaluating and Maintaining Effectiveness~~

~~5-7. Communications:~~

- ~~a. Conference Leadership~~
- ~~b. Oral and Written Reports~~
- ~~c. Inter-Agency Communication~~
- ~~d. Intra-Departmental Communication~~

- ~~1. Formal~~
- ~~2. Informal~~

~~e. Effective Speaking and Writing~~

~~5-8. Individual Projects: Course administrators may require each trainee to complete a study project related to one or more of the subjects in the Executive Development Course, including a written report of the project, with findings and conclusions.~~

Leadership and ManagementOrganization DevelopmentLegal ResponsibilitiesCommunicationsContemporary Issues

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Management Course Contracts - FY 1982/83		Meeting Date January 28, 1982
Bureau Training Program Services	Reviewed By <i>[Signature]</i>	Researched By <i>Di-</i> Michael C. DiMiceli
Executive Director Approval <i>Norman C. Boehue</i>	Date of Approval 1-8-82	Date of Report December 4, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/>		Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

Commission review and approval of Management Course contract costs as proposed for Fiscal Year 1982/83 is required to authorize the Executive Director to enter into contracts with presenters.

BACKGROUND

This course is currently budgeted at \$185,066 for 21 presentations by five presenters:

California State University, Humboldt
California State University, Long Beach
California State University, Northridge
California State University, San Jose
Regional Training Center, San Diego

In addition, there are two Management Course presenters who offer training to their own personnel at no cost to the POST fund:

California Highway Patrol
State Department of Parks and Recreation

ANALYSIS

Course costs are consistent with POST tuition guidelines. Required performance objectives are being satisfactorily presented by each contractor.

The estimated Fiscal Year 1982/83 cost for 21 presenters should not exceed a total of \$203,572. This amount allows for some possible increase over Fiscal Year 1981/82 due to increased costs for instructions, coordination, facilities and materials as may be allowable by tuition guidelines.

RECOMMENDATION

Staff recommends that the Commission authorize the Executive Director to negotiate contracts with the current five contractors to present twenty-one (21) presentations of the Management Course during Fiscal Year 1982/83, not to exceed a total contract cost of \$203,572. Negotiated contracts will be returned for Commission approval to the April meeting.

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Dept. of Justice/POST Interagency Agreement for Training		Meeting Date January 28, 1982
Bureau Training Delivery Services	Reviewed By <i>Gene De Crona</i>	Researched By Darrell L. Stewart <i>DP</i>
Executive Director Approval <i>Monahan C. Beckman</i>	Date of Approval 1-6-82	Date of Report January 5, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/>		Financial Impact Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>

In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).

ISSUE

The Department of Justice has requested another Interagency Agreement (IAA) to provide local law enforcement training for Fiscal Year 1982-83. The request is to present 28 different technical courses, providing 154 separate presentations, for a total cost not to exceed \$591,275. See attachments for reference.

BACKGROUND/ANALYSIS

The Department of Justice has been contracting (Interagency Agreement process) with POST to provide local law enforcement training since 1974. The total cost of the training proposal each year has varied, depending on the specific training to be provided.

During Fiscal Year 1981-82, the IAA approved by the Commission was not to exceed \$594,072. During Fiscal Year 1980-81, the IAA amount was \$571,000, while actual claims by DOJ were only \$503,119. Additionally, \$20,380 was collected during FY 1980-81 by DOJ from out-of-state students as tuition and returned to POST. Approximately the same ratio of expenditure/return to agreement maximums is expected during the present fiscal year.

The 1982-83 proposal does not include any new courses. The number of presentations of each course have been changed some from the present IAA to meet current training needs and demands. Proposed costs for travel have not increased over the present IAA, because tight accounting procedures indicate the present travel allotments are adequate. Proposed costs for instruction have increased, as few instructors are now provided free by agencies, and accounting procedures have identified previous projection and payment discrepancies. The net effect of the proposed changes is eleven less presentations for \$3,000 less.

However, staff is in the process of analyzing each course to determine if costs are reasonable and appropriate. This analysis will be finalized prior to the April Commission meeting, when a complete report on the proposed agreement will be made to the Commission.

RECOMMENDATION

Authorize staff to negotiate an Interagency Agreement with DOJ for Fiscal Year 1982-83, for an amount not to exceed \$591,275.

Memorandum

: Norm C. Boehm, Executive Director
Commission on Peace Officer Standards
and Training
7100 Bowling Drive
Sacramento, CA 95823

Date : December 15, 1981

From : Office of the Director

Subject: Proposed 1982/83 Department of Justice/POST Local Law Enforcement Training Program

The Department of Justice will request a \$591,275.00 contract for Fiscal Year 1982/83. (See attachment for details.)

We propose to continue the flexible contract which has worked so well during the past several years. We would, of course, make no changes without your prior approval.

The proposed program represents a modest adjustment of course presentations based on student demand. We have realigned teaching costs for the first time in several years to more accurately reflect our actual output.

We will continue our efforts to help you hold down your costs by presenting the majority (approximately 62%) of our presentations on site. We appreciate your assistance in bringing high quality advanced training to California law enforcement.



WILLIAM J. ANTHONY, Director
Division of Law Enforcement

1m
Attachments

1992/83

BUDGET BREAKDOWN

IN COMPLIANCE WITH POST REQUIREMENTS

Estim. Cost

Per

Presentation

Coordination

15%

Indirect

Sub-total

Travel

Materials

Clerical

Onsite

Presite

Instruct.

COURSE

Analyst (C.I. Data)	\$1960	\$684	\$ 570	\$423	\$ 935	\$4800	\$ 720	\$ 5520
Basic Elements (C.I.)	1600	360	300	280	2380	5040	756	5796
Cargo Theft Investigation	1060	315	300	242	1177	3214	482	3696
Commander (C.I.)	1210	324	270	133	943	2988	448	3436
Economic Crime Invest.	1165	360	300	214	1100	3259	488	3747
Executive Protection	1400	324	270	181	825	3108	466	3574
Fencing Investigation	1060	360	300	198	1573	3611	541	4152
Gambling Invest. (O.C.)	1000	360	300	209	1353	3342	501	3843
Heroin Influence	928	144	150	110	1258	2650	397	3047
Inform.Dev.& Maint. (O.C.)	1440	324	270	239	1173	3554	533	4087
Intro.to Crime Analysis	1095	324	270	181	1182	3160	474	3634
Inv. of Computer Crimes	1000	360	300	275	1100	3155	473	3628
Inv.Crimes Agnst.Elderly	900	324	270	239	1179	3020	453	3473
Inv.of Homicide&ViolentCr.	1420	360	300	302	1886	4388	658	5046
Latent Print Techniques	1000	360	300	121	-	1901	285	2186
Link Analysis Techniques	200	-	60	82	467	833	124	957
Records Management	1900	684	570	375	2359	6116	917	7033
Modular Training (L.E.)	589	180	300	580	673	2382	357	2739
Narcotic Commander	900	324	270	302	786	2690	403	3093
Nar. Enf. For Peace Off.	1000	-	150	556	629	2395	359	2754
Narcotic Investigation	6995	720	600	798	-	9353	1402	10755
Narcotic Smuggling	600	216	180	554	1258	2880	432	3312
Prison Gang Activity	900	324	270	176	1573	3351	502	3853
Sinsemilla Eradication	5650	720	600	181	1573	8964	1344	10308
Spec. Surveillance Equip.	900	324	270	279	473	2354	353	2707
Street Gang Activity	600	216	180	226	1157	2451	367	2818
Urban Terrorist Activity	1005	324	270	532	786	3025	453	3478
Visual Invest.Analysis	200	-	60	133	434	851	127	978

12/9/81

TRAINING PROGRAM 1982/83

No. of Presentations

	No. of Presentations		Training Center		Total	Est. Class Sizes (*6)	Classroom Hours	Est. Attend. All Present. (*6)	Average Cost Per Course(*3)	Est. POST Cst. on IAA (*3*4)
	Hours	Offsite	Center	Offsite						
Analyst (C.I. Data)	76	0	2	2	2	15	152	30	\$5520	\$ 11040
Basic Elements (C.I.)	40	4	4	8	8	18	320	144	5796	46368
Cargo Theft Investigation	40	0	2	2	2	20	80	40	3696	7392
Commander (C.I.)	36	0	2	2	2	20	72	40	3436	6872
Economic Crime Invest.	40	3	3	6	6	20	240	120	3747	22482
Executive Protection	36	1	1	2	2	20	72	40	3574	7148
Fencing Investigation	40	0	2	2	2	20	80	40	4152	8304
Gambling Invest. (O.C.)	40	2	2	4	4	20	160	80	3843	15372
Heroin Influence	20	4	0	4	4	35(50,*7)	80	140	3047	12188
Inform.Dev.&Maint. (O.C.)	36	3	3	6	6	25	216	150	4087	24522
Intro.to Crime Analysis	36	2	2	4	4	15	144	60	3634	14536
Inv. of Computer Crimes	40	1	2	3	3	15	120	45	3628	10884
Inv.Crimes Agnst.Elderly	36	1	2	3	3	20	108	60	3473	10419
Inv.Homicide&Vio.Cr.(*8)	40	2	2	4	4	20	160	80	5046	20184
Latent Print Techniques	40	0	2	2	2	12	80	24	2186	4372
Link Analysis Techniques	8	6	0	6	6	15	48	90	957	5742
Records Management	76	1	2	3	3	25	228	75	7033	21099
Modular Training	20(*5)	31	0	31	31	25(50,*7)	620	775	2739	84909
Narcotic Commander	36	0	2	2	2	20	72	40	3093	6186
Narc. Enf. for Peace Off.	20	20	0	20	20	25(50,*7)	400	500	2754	55080
Narcotic Invest. (*8)	80	0	10	10	10	18	800	180	10755	107550
Narcotic Smuggling	24	0	2	2	2	20	48	40	3312	6624
Prison Gang Activity	36	2	2	4	4	30	144	120	3853	15412
Sinsemilla Eradication	80	2	0	2	2	20	160	40	10308	20616
Spec. Surveillance Equip.	36	0	6	6	6	15	216	90	2818	16242
Street Gang Activity	24	3	3	6	6	20	144	120	2818	16908
Urban Terrorist Activity	36	0	2	2	2	30	72	60	3478	6956
Visual Invest. Analysis	8	6	0	6	6	15	48	90	978	5868
		94(61%)	60(39%)	154			5048	3313		\$591275

*1 New courses without additional funding. *4 Budgets based on established class size.
 *2 25% of total hours may be given as 8-hour modules (see attachmt. for appr. subjects). *5 Typical Modular program consists of 20 hours of instruction. (FY 79/80)
 *3 Includes 15% indirect. *6 20% over enrollment each presentation allowable.
 *7 Maximum enrollment depending on curriculum.
 *8 Funded by POST Plan II.

AGENDA ITEM SUMMARY SHEET

A. Item Title Continuation of POST Contract with (CPS)		Meeting Date January 28, 1982
Bureau Standards & Evaluation	Reviewed By	Researched By John W. Kohls <i>JWK</i>
Executive Director Approval <i>William C. Beckman</i>	Date of Approval 1-12-82	Date of Report January 6, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE:

Continuation of the POST contract with Cooperative Personnel Services (CPS) of the State Personnel Board to administer the POST Training Proficiency Test.

BACKGROUND:

Penal Code Section 832(b) requires POST to develop and administer a basic training proficiency test to all academy graduates.

A contract was entered into with Cooperative Personnel Services (CPS), to administer the tests.

ANALYSIS:

Cooperative Personnel Services (CPS) has been administering the POST Basic Course Proficiency Test for approximately one year.

The test is administered approximately 9.3 times per month for a total of 111.6 administrations a year. There are approximately 35.8 candidates per administration, for a total of 332.9 candidates per month. The approximate number of candidates is 3,995 per year.

CPS administers these tests at a cost of approximately \$5.02 per candidate per administration. The approximate cost per administration is \$180 for a total of \$1,674 per month. The amount of the 1981-82 CPS contract is \$20,545.

For POST to administer examinations, it would cost \$10.39 per candidate per administration. The cost per administration would be \$372 for a total of \$3,459.60 per month. The total cost for FY 1981-82 would have been \$41,515.20. The primary reason for the lower cost is that CPS uses local Proctors who are well trained but make less per hour than a POST employee who would be assigned the same responsibilities.

Staff estimates that for FY 1982-83, the cost of CPS administration of the Proficiency Test will be approximately \$26,000 -- 10% over the 1981-82 contract amount of \$20,545 to allow for salary increases and inflationary costs and an additional approximate 15% increase for additional test administration services that will aid POST in test item development.

RECOMMENDATION:

Authorize staff to negotiate a contract with CPS for services during FY 1982-83 in an amount not to exceed \$26,000.

Utilize reverse side if needed

AGENDA ITEM SUMMARY SHEET

Agenda Item Title California Law Enforcement Command College		Meeting Date January 28, 1982
Bureau Executive Office	Reviewed By	Researched By Norman C. Boehm
Executive Director Approval <i>Norman C. Boehm</i>	Date of Approval 1-12-82	Date of Report January 7, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details.) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUES: The Commission's Long-Range Planning Committee has reviewed and discussed the concept of a Law Enforcement Command College at its December 1981 meeting. As a result of this discussion, the Committee recommends the following to the Commission: (1) the concept of a "Law Enforcement College" be fully endorsed by the Commission, (2) the Commission's Long Range Planning Committee continue to be assigned to review and oversee the matter and that study include field visits to similar programs located both in this country and abroad, and (3) that an accelerated action plan be developed.

BACKGROUND: The idea of creating a "California Law Enforcement Institute" (Police College) for the training of police executives and managers has been advanced by several organizations. In 1976, the Police Chief Executive Report, funded by LEAA, recommended that states expand resources to create police executive and management training centers. More recently, the 1980 Symposium on Professional Issues identified the need for more management and executive-level training. The follow-up Symposium Task Force on Continuing Education for Management and Executive Personnel recommended the creation of an Institute. In 1981, the California Police Chiefs' Association, the POST Training Needs Assessment, and the consensus of attendees in the POST Police Executive Series endorsed the concept. Indications are that there is considerable support for the Institute among California law enforcement executives.

The POST Commission, at its October 1981 meeting, directed staff and the Long-Range Planning Committee to preliminarily explore the feasibility of such an Institute.

ANALYSIS: The following is an outline of the concept, need, and preliminary design criteria. Emphasis is made that definitive descriptions must await further staff study, field input, and Commission policy direction.

Concept Overview

The concept includes acquisition or development of a single site, perhaps with satellite instructional centers, controlled by POST, that is universally recognized for its excellence in developing and providing training programs and services in behalf of California law enforcement executives and managers.

Utilize reverse side if needed

Recognizing the limited but high quality training opportunities currently available for police administrators, this concept provides a means to reach the highest levels of excellence and to overcome present deficiencies of unmet training needs, duplicative efforts, and lack of a unified approach.

The Institute's training program will focus on developing and presenting executive and management level training not currently available and provide master planning oversight of all existing such courses. Other POST responsibilities could be met there in satellite fashion to upgrade all levels of law enforcement training. These may include specialized media development/clearinghouse, individualized assessment, identification of individuals with leadership potential, development and pilot of computer-assisted training, laboratory for new instructional methodology/technology, resource center for instructional development, and "think tank" for solving law enforcement problems. These services may be offered through various "centers" within the Institute and could include a Training Technology Center and Testing and Evaluation Center, to name two.

Need

Better Prepared Law Enforcement

Within this decade, the Commission on POST will invest substantial funds in training law enforcement personnel in California. Assuring that this investment pays long-term dividends to the citizens of California is of paramount importance. The Commission has adopted the policy to deploy POST resources in such a way that maximum results may be realized. Other things being equal, the better prepared law enforcement is to serve in the dynamic social, political and economic environment of the future, the more effective it will be.

Ample Skilled Leadership Pool

Part of that strategic approach focuses on preparation and training of law enforcement managers and executives. The public and the profession need to be assured of an ample and steady supply of leaders in law enforcement. Present and future leaders need to be carefully, thoroughly, and continuously prepared to meet the challenges of law enforcement needs in any evolving society. They need to provide the leadership which, proactively and with high principles, fulfills its role in an atmosphere of social, economic, and other uncertainty. It is within the purview of the Commission on POST to help assure the realization of this essential law enforcement leadership ingredient.

Pursuing Values and Principles

The time has come, not only to give attention to the training needs of law enforcement managers and executives but, at the same time, use that training process as a means to achieve a quantum leap in the theoretical and practical approaches to law enforcement. Consistent to the need identified in the 1981 POST Training Needs Assessment, the Institute could be viewed in part as a "think tank" for solving law enforcement problems. The bringing together of the appropriate mix of police executives, managers, and others in a creativity-conducive setting would help accomplish this objective. The Institute should also be a workshop, not only for values and principles applied in practical settings, but for teaching and training techniques and approaches throughout law enforcement. It should also provide a laboratory for developing more effective training methods.

Career Development System

The Institute would provide training and learning experiences, not only for top executives, but also for managers. Structuring levels of training to include pre-management, management, post-management, pre-executive, executive, and post-executive levels, would provide the basis of a career training track. It would help the Institute fill the need of identifying and encouraging persons of merit and talent to prepare for top-level jobs in California law enforcement. The early identification, training, and tracking of potential top-level managers would provide a continuing incentive for top caliber people to remain in law enforcement and not leave the profession early for want of a well-developed career development system concept.

Innovative Curricula, Innovatively Approached

The Institute must deal with a broad range of criminal justice concerns as they impact law enforcement. It must deal with the "how to's," but it must also address the larger issues such as: economic trends and their impact on society; vigilantism; innovative use and roles of citizens; racial and ethnic trends and their consequences; alternatives to deadly force; criminal justice system coordination; dynamics of policy-making bodies; public safety politics; sociological trends; causes of crime; economic impact of crime; crime interdiction strategies; public values; public morality and its impact on criminal justice; appropriate assertiveness at a preventative level; influencing existing value systems; use of proactive rather than reactive use of media.

Instructional "Building Block" Approach

The need for the Institute can also be expressed in terms of a means to overcome present training delivery deficiencies as it relates to management and executive-level training. There remains many unmet training needs, as verified by the 1981 POST Training Needs Assessment. This, in part, is the result of an agency not having responsibility for developing and piloting new training programs nor having the direction in carrying out a unified master plan for this level of training. The lack of a building block approach to the supervisory, management, and executive development courses and seminars has resulted in duplication of instruction and criticism of POST training.

Preliminary Design

Although it is not timely to definitively identify administrative, physical, and program criteria, a preliminary design is provided. These criteria are provided only to illustrate the complexity and diversity of needed staff study, field input, and Commission policy direction required to implement this concept. These tentative notions about various criteria could very well be modified or completely changed with more information and direction provided.

Physical Facilities. It is highly desirable that the Institute have its own facility because of the level and type of training and services to be provided. Executive/management training must be presented in a comfortable, modern, and nondisruptive-type environment. There must be administrative offices, classrooms, conference rooms, audio visual development, training laboratories, a media learning center, computer-assisted learning facilities, a library, parking, a lounge, physical training, simulation and role-playing areas, reception, word processing, materials storage, etc. If the Institute does not have its own cafeteria and dormitory facilities, then it must be located in close proximity with those available. The ideal arrangement would

be to have POST Headquarters co-housed with the Institute in order to share some of the facilities and services. A thorough search for suitable, existing facilities would have to be made prior to consideration being given to constructing new facilities. In addition, it may be feasible for the Institute to conduct outreach instruction in certain subjects.

Location. The determination of a suitable location could give varying priority to such factors as proximity to a major airport, type of setting, relationship to POST Headquarters, availability of existing facilities/land, costs, proximity to instructional staff, recreational opportunities, the State Master Building Plan, and others.

Training Program. Some of the considerations include capacity of facilities, impact on existing executive and management training courses, current unmet training needs, level of personnel, courses presently coordinated by POST, staff limitations, and POST's legal constraints. In police departments, sheriff departments, and specialized law enforcement agencies, there are over 700 police executives and 3,000 managers. It is realistic to expect that a prestigious institute would attract fee-paying clientele from other states and perhaps internationally. With appropriate physical facilities, it is also reasonable to expect the Institute could attract out-of state course presenters, e.g., IACP. Perhaps the most important consideration is the type of courses which should be presented directly by the Institute vs. those certified out to other presenters. The Institute can serve in a master planning role for all such training so that there is a complete, non-duplicative, and well-understood program of courses. Besides POST's currently offered courses, and most of those to be developed in the future, it would be expected the "think tank" or problem solving seminars, pilot/demonstrative courses, and instructor development-type courses would be initially offered. The Institute could provide instruction to city and county managers and executives on special law enforcement problems and issues. As the need and Institute's capabilities increased, other training programs would be added.

Title. Numerous alternatives are available. Some of the considerations include: Recognition to POST, reflective of purposes, descriptive of clientele served, services to be provided, and recognition to California. Some of the alternatives include:

- o Law Enforcement POST-Graduate School
- o Law Enforcement Command College
- o Law Enforcement Executive Institute
- o POST Command Institute
- o POST Command College
- o California Law Enforcement Institute

Training Technology Center: The Training Technology Center would be a laboratory focal point for POST clearinghouse activities as well as for development of prototype instruction in the area of slides and sound computer, video, development of training games, training exercises and other training approaches. It would be a center for the development of these skills in bringing trainers, teachers, and educators together to pool ideas and return to their training areas prepared and ready to go. Technology would be reviewed as to applicability to law enforcement systems and training. The Institute could serve as a laboratory for the development of instructors, with an appropriate use of equipment and technology to improve quality and effectiveness of training.

Testing and Evaluation Center: POST currently is involved in a standards and evaluation activity for law enforcement, including the areas of physical ability, reading, writing, emotional stability, and vision. These activities could and should be located at the Institute. Many advantages are inherent to having the Institute and POST operations located close together. These include: Economy of administration; economy of scale, and mutual use of facilities.

Controls/Administrative Structure. Several alternatives are possible for an administrative structure under the control of POST. However, it appears at this time that the most feasible and easily implemented would be to establish the Institute as a unit within POST. Other alternatives can be researched.

College/University Affiliation. Affiliation with a college or university could be considered because of possible costs sharing, increased prestige, advantage of college units to clientele trainees, and access to instructional staff.

Curriculum Advisory Committee. Almost all training institutions have advisory committees composed of users to provide advice and other input. Some consideration should be given to appointing an advisory committee for the development of the Institute. If the Institute comes into being, it may be desirable to have an advisory committee to provide continuing curriculum input.

Costs and Funding. It is difficult to estimate costs without added study and direction guidelines. Two major categories of costs are start-up and operational. Start-up costs will depend upon (1) whether existing facilities and equipment can be acquired or not; (2) level of training program and related services; and (3) type of facilities determined necessary and feasible within constraints of State government. Operational costs will likewise vary depending on the program and services, relationship to POST Headquarters, and degree of shared facilities.

Currently, POST expends approximately \$1,000,000 annually on management and executive-level training including reimbursement, contracts, and POST staff time. Even though several sources of funding are possible, e.g., federal grant, affiliation with State College or University, private grants, tuition for out-of-state and non-reimbursable trainees, fees, for services, it is probable that POST would be the primary source of funding. Some of the existing \$1,000,000 expended on management and executive-level training could be used for the Institute. Another \$1,000,000 might cover from monies now vestigially (from when POST had surplus money) allocated to salary reimbursement for non-mandated job specific technical courses.

Additionally, Senate Bill 210 provided an additional ten percent of the Penalty Assessment Fund to the Commission for four years. This means that for the next four years the Commission will receive \$3.5 to 4.5 million annually. It may be possible to use a portion of that money to finance start-up costs. Certainly, if approvals are received for this concept, the most desirable funding approach would include additional revenues.

Non-Instructional Staff Expertise Needed. Based upon the program and services previously described, the Institute would require the following expertise: Administrative, training course coordinators and developers, media development, computer-assisted learning, library, individual assessment, clerical/secretarial, custodial, groundskeeper, and perhaps food service.

Instructional Faculty. The POST resource management system favors use of existing training delivery resources rather than hiring POST's own faculty. In the case of the Institute, the bulk of instruction can and should be provided in that fashion. This will permit the best instructional resources to be brought into the picture at any given time.

Tasks To Be Accomplished. Provided the Commission approves the concept, numerous tasks must be undertaken to develop a specific proposal. Tasks include: Searching for existing facilities/land, designing a structure if necessary, determining the legalities and procedural steps for various administrative alternatives, developing costs projections for start-up and operations, identifying at least the initial program of courses, identify the necessary expertise, to name a few.

RECOMMENDATION: The appropriate action of the Commission would be a MOTION approving the Long-Range Planning Committee recommendations, which are:

1. The concept of a "Law Enforcement Command College" be fully endorsed by the Commission.
2. The Commission's Long-Range Planning Committee continue to be assigned to review and oversee the matter and that study include field visits to similar programs located both in this country and abroad.
3. That an accelerated action plan be developed.

#0897B/1/8/82

AGENDA ITEM SUMMARY SHEET

Agenda Item Title TASK FORCE ON CONTINUING EDUCATION AND TRAINING #1 - LONG RANGE PLANNING COMMITTEE REPORT		Meeting Date January 28, 1982
Bureau Special Projects	Reviewed By <i>D. Blanchard</i>	Researched By Brooks Wilson <i>B</i>
Executive Director Approval <i>William C. Bell</i>	Date of Approval 1-12-82	Date of Report December 16, 1981
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact <input type="checkbox"/> Yes (See Analysis per details) <input type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

Commission approval of recommendations of the Task Force on Continuing Education and Training #1 (Supervisory and Management).

BACKGROUND

This task force has made eight recommendations relative to continuing education and training for supervisors and managers. They have been approved by the Professionalization Coordinating Committee and accepted with one modification to Recommendation #1. The task force recommended that supervisory and management training be required prior to serving as such. The Professionalization Coordinating Committee modified it to require the training within six months. Regulations currently require it within 12 months.

ANALYSIS

The recommendations have been received by the Commission and referred to the Long Range Planning Committee for review. The Long Range Planning Committee met on December 11, 1981 and recommended the following action by the Commission:

RECOMMENDATIONS:

1. Initial Training Requirements: The Task Force recommends that POST Regulation 1005(b) and (c) be amended to require successful completion of certified supervisory and management courses prior to promotion, transfer, or appointment to a supervisory or management position.

This recommendation was modified by the Professionalization Coordinating Committee to require successful completion of the course prior to or within six months of the promotion. Current regulations require it within one year.

LRPC Recommendation

Approve the recommendation as modified by the PCC and direct staff to prepare for public hearing.

2. Supervisory Management Update: The Task Force recommends that POST Regulation 1005(b) and (c) be amended to require supervisors and managers to successfully complete certified supervisory and management update courses, of 24 hours or more, at least once every 24 months after promotion.

LRPC Recommendation

Approve in concept but delete specific hours and time constraints pending further review of needs and costs. Direct staff to develop for public hearing.

3. Administrators Course: The Task Force recommends that an Administrators Course be developed by POST for upper level management positions.

LRPC Recommendation

Approve and direct staff to address as part of the overall review of supervisory, management and executive training.

4. Supervisory and Management Course Curricula: The Task Force recommends that a thorough study be conducted by POST to redesign the supervisory and management course curricula into learning goals and performance objectives and to modularize the subject matter and make it more relevant.

LRPC Recommendation

Approve.

5. Adequate Performance Objective Testing: The Task Force recommends that POST exercise more quality control over certified supervisory and management courses by developing appropriate testing processes and assuring that such tests are properly administered.

LRPC Recommendation

Approve and direct staff to develop a testing process which assures that the course objectives are met.

6. Instructor Development: The Task Force recommends that POST publish an "instructors handbook" on methods of presentation for use as a guide by instructors and training institutions.

LRPC Recommendation

Approve and direct staff to develop specifications on methods of instruction for use as a guide by instructors and training institutions.

7. Improved Quality Control: The Task Force recommends that POST staff conduct on-site course audits to evaluate instructors and report the results to course presenters.

LRPC Recommendation

Approve and direct staff use a variety of methods to increase quality control including on-site course audits.

8. Training vs. Education: The Task Force recommends that a committee be established to work with the Chancellors of the Community College system and State University and College system to develop relevant upper division courses or degree programs for the police service.

Staff Recommendation

Acknowledge the need and pass the concern on to the appropriate education authorities.

Commission on Peace Officer Standards and Training
Commission Legislative Review Committee Meeting Minutes
December 15, 1981

The Commission Legislative Review Committee convened at 10:30 a.m. in Conference Room 8 of the Hyatt Hotel, 6225 W. Century Blvd., Los Angeles. Present were:

Robert Edmonds, Committee Chairman
William Kolender, Commissioner
Richard Pacileo, Commissioner
Nathaniel Trives, Commissioner
Norman C. Boehm, Executive Director
Don Beauchamp, Assistant to Executive Director

Bill Status Report

The Committee review of active bills on which the Commission has previously acted was dispensed with. Committee members are familiar with the bills and no further discussion was deemed necessary until after the Legislature reconvenes in January.

Peace Officer Licensing

After a discussion on the issue of licensing peace officers, the Committee makes the following recommendation.

- The Commission continues to support the concept of peace officer licensing, however, modify the action taken at the July 16, 1981 Commission meeting (see Attachment "A") to the following:
 1. POST be identified as the control agency.
 2. Require all peace officers to be licensed.
 3. Require completion of a certified POST basic course and/or passage of an appropriate waiver examination as a requisite to licensing.
 4. Ensure that the "proficiency test" and the "basic course waiver examination" are separately maintained.
 5. Require that the "license" and the current POST certificate program be separately maintained.
 6. Set January 1, 1984 as the implementation date to be included in any legislation.
 7. Ensure that licensing does not immunize the holder from any locally imposed discipline.

8. Ensure that the POST reimbursement program is not expanded to include new groups, unless additional revenues are allocated sufficient to cover the added costs.
9. Require that there be minimum selection standards.
10. Require that there be minimum training standards, to include a training maintenance program.
11. Require that a license revocation process be included.
12. Require that a fee structure be devised to cover all administrative costs associated with licensing.
13. Require that a criminal penalty clause be a part of any legislation, to ensure sanctions are available for misuse of the license.
14. Require that there be employment, status and termination reporting to allow for accurate record keeping.
15. Provide for a temporary license program to ensure agencies can immediately utilize newly appointed peace officers who have met all of the requirements.

Should the Commission act to reaffirm its support of licensing and choose to move ahead in developing appropriate legislation, the Committee recommends that an appropriate ad-hoc group of POST Commissioners be appointed to assure that the Commission's concerns and positions are reflected in the draft of any actual legislation. This ad-hoc group would assist in legislation formulation and then participate in several meetings to be held throughout the State for the purpose of assessing field sentiment regarding licensing. The final act of the ad-hoc group would be to provide input to the Commission's Legislative Review Committee which in turn would recommend whether to support, oppose or stay neutral on the legislation which may be introduced. A special meeting of the full Commission to receive the report may be necessary.

Proposed Legislation

The Committee considered the issue of amending Section 832.4 of the Penal Code to allow up to 24 months in which to obtain the POST certificate. Current law requires the certificate within 18 months. After a brief discussion, it was decided to recommend that POST support legislation to allow for the increase to 24 months.

There being no further issues to discuss, the meeting adjourned at 1:00 p.m.

Attachment



COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

7100 BOWLING DRIVE, SUITE 250
SACRAMENTO, CALIFORNIA 95823

July 16, 1981
Bahia Hotel, San Diego

COMMISSION MEETING MINUTES

The meeting was called to order at 10 a.m. by Chairman Trives. A calling of the roll indicated a quorum was present.

Commissioners Present:

Nathaniel Trives	- Chairman
Jay Rodriguez	- Vice-Chairman
Robert Edmonds	- Commissioner
Jacob Jackson	- Commissioner
William Kolender	- Commissioner
Richard Pacileo	- Commissioner
Joseph Trejo	- Commissioner
John Van de Kamp	- Commissioner
Robert Vernon	- Commissioner
Joe Williams	- Commissioner
Rod Blonien	- Attorney General Representative

Commissioner Absent:

Al Angele

Staff Present:

Norman Boehm	- Executive Director
Glen Fine	- Deputy Executive Director
Don Beauchamp	- Assistant to the Executive Director
Ron Allen	- Bureau Chief, Field Services
John Davidson	- Bureau Chief, Administrative Services
Bradley Koch	- Bureau Chief, Information Services
John Kohls	- Research Specialist
Gary Kuwabara	- Staff Services Manager
Ted Morton	- Bureau Chief, Training Program Services
Bobby Richardson	- Bureau Chief, Training Delivery Services
Hal Snow	- Senior Project Coordinator
George Williams	- Bureau Chief, Management Counseling
Brooks Wilson	- Senior Project Coordinator
Imogene Kauffman	- Executive Secretary
Rachel Fuentes	- Secretary

Increased Executive Training - cont.

establishing a "police college" for supervisory, management, and executive education and training.

MOTION - Van de Kamp, second - Jackson, carried unanimously that part of the study should include the feasibility of POST's having sites for police training in both Northern and Southern California, or at least find some area in Southern California that would be the center for training delivery services.

F. TASK FORCE on LICENSING/ENHANCED CERTIFICATION

The stated purpose of this task force is to develop legislation or PAM changes directed to the licensing of police officers, or PAM changes which would upgrade the Basic Certificate to license status. Increased training and minimum selection standards are to be considered as part of the legislation or regulation changes.

MOTION - Vernon, second - Kolender, carried unanimously to support legislation which would upgrade the Basic Certificate to license status and would expand the requirements and condition for revocation, with the following modifications added to the proposed legislation:

1. Reword the definition of "peace officer" to include only those peace officer categories currently in the regular program.
2. Reword proposed P.C. Section 13527, para. 3(c) to require completion of the Basic Course and passing a subject matter examination.
3. Reword proposed P.C. 13527, para. H to distinguish between subject matter examinations which would be administered to academy graduates, and equivalency examinations which would be administered as part of the equivalent training evaluation process. This would require a modification of the proposed definitions of subject matter examination and the addition of a definition of equivalency examination.
4. To move the proposed effective date of December 31, 1981, back to January 1, 1984, to provide time to make necessary preparations.
5. Add a requirement for a POST-approved field training program.
6. Specifically spell out in the legislation that a certificate does not immunize the holder from justified dismissal or local discipline.

G. TASK FORCE on NEW ORGANIZATIONAL CONCEPTS

The stated purpose of this task force is to develop position papers and strategies for implementing consolidation, regionalization, more efficient

STATUS OF PENDING LEGISLATION OF INTEREST TO POST

ACTIVE *

<u>Bill/Author</u>	<u>Subject</u>	<u>Commission Position</u>	<u>Status</u>
AB 674 (Katz)	Arson Investigators: POST Reimbursement	Oppose	Held by Author
SB 751 (Doolittle)	School District Police: POST Reimbursement	Oppose	Dropped by Author
AB 985 (Brown)	Legal Training: Funding		Two-Year Bill
AB 1169 (Martinez)	Firearms Training: Public	Neutral	Two-Year Bill
AB 2078 (Nolan)	Reserves: Level I Training Standards	Support	Two-Year Bill
AB 2172 (Vasconcellos)	Private Patrol: Training	Neutral	Held by Author

*Active means the Commission has or may take an official position.

Rev. 12/8/81

ASSEMBLY BILL

No. 674

Introduced by Assemblyman Katz

February 26, 1981

An act to amend Section 13510 of the Penal Code, relating to peace officers, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 674, as introduced, Katz. Peace officers: arson investigators.

Existing law requires the Commission on Peace Officer Standards and Training to adopt and amend rules establishing minimum standards for the recruitment and training of specified local peace officers.

This bill would require the commission to also adopt and amend rules establishing minimum standards for the recruitment and training of arson investigators, as defined, who are regularly employed and paid members of a fire department or fire protection agency having primary responsibility for the enforcement of arson laws.

Existing law provides that money in the Peace Officers' Training Fund is continuously appropriated for the costs of administration and for grants of reimbursement aid to local governments and districts.

The provisions of this bill would impose additional duties on the Commission on Peace Officer Standards and Training and authorize additional expenditures from the Peace Officers' Training Fund.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13510 of the Penal Code is
2 amended to read:

3 13510. (a) For the purpose of raising the level of
4 competence of local law enforcement officers, the
5 commission shall adopt, and may, from time to time
6 amend, rules establishing minimum standards relating to
7 physical, mental, and moral fitness, which shall govern
8 the recruitment of any city police officers, peace officer
9 members of a county sheriff's office, reserve officers as
10 defined in subdivision (a) of Section 830.6, policemen of
11 a district authorized by statute to maintain a police
12 department, ~~or~~ peace officer members of a district, or
13 arson investigators as defined in subdivision (a) of
14 Section 830.31 who are regularly employed and paid
15 members of a fire department or fire protection agency
16 having primary responsibility for the enforcement of
17 arson laws, in any city, county, city and county, or district
18 receiving state aid pursuant to this chapter, and shall
19 adopt, and may, from time to time amend, rules
20 establishing minimum standards for training of city
21 police officers, peace officer members of county sheriff's
22 offices, reserve officers as defined in subdivision (a) of
23 Section 830.6, policemen of a district authorized by
24 statute to maintain a police department, ~~and~~ peace
25 officer members of a district, and arson investigators as
26 defined in subdivision (a) of Section 830.31 who are
27 regularly employed and paid members of a fire
28 department or fire protection agency having primary
29 responsibility for the enforcement of arson laws, which
30 shall apply to those cities, counties, cities and counties,
31 and districts receiving state aid pursuant to this chapter.
32 All such rules shall be adopted and amended pursuant to
33 Chapter 4.5 (commencing with Section 11371) of Part 1,
34 Division 3, Title 2 of the Government Code.

35 (b) The commission shall conduct research
36 concerning job-related educational standards and
37 job-related selection standards, to include vision, hearing,
38 physical ability, and emotional stability. Job-related

1 standards which are supported by this research shall be
2 adopted by the commission prior to January 1, 1985, and
3 shall apply to those peace officer classes identified in
4 subdivision (a). The commission shall consult with local
5 entities during the conducting of related research into
6 job-related selection standards.
7 (c) Nothing in this section shall prohibit a local law
8 enforcement agency from establishing selection and
9 training standards which exceed the minimum standards
10 established by the commission.

AMENDED IN SENATE SEPTEMBER 4, 1981
AMENDED IN SENATE AUGUST 13, 1981
AMENDED IN ASSEMBLY JUNE 30, 1981
AMENDED IN ASSEMBLY MAY 6, 1981

CALIFORNIA LEGISLATURE—1981-82 REGULAR SESSION

ASSEMBLY BILL

No. 985

Introduced by Assemblyman Willie Brown

March 16, 1981

An act to add and repeal Title 1.5 (commencing with Section 11500) of Part 4 of the Penal Code, relating to criminal justice, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 985, as amended, W. Brown. Criminal justice: legal training.

Existing law makes no provision for funding of statewide programs of education, training, and research for local public prosecutors and public defenders.

This bill would establish in the Office of Criminal Justice Planning a program of financial assistance to provide for programs of education, training, and research for local public prosecutors and public defenders. Funds made available for such programs would be allocated and awarded by the executive director of the Office of Criminal Justice Planning to public agencies and private nonprofit organizations which provide programs meeting specified criteria. The criteria for the programs would be developed by the Prosecutors and Public Defenders Education and Training Advisory Committee, created by this bill, whose 12 members would be appointed by the executive director of the Office of Criminal

Justice Planning.

The sum of \$495,000 would be appropriated each fiscal year, from the Corrections Training Fund for the 1981-82 fiscal year, and from the ~~Penalty~~ Assessment Fund each fiscal year thereafter, *as specified*, to the Office of Criminal Justice Planning for the purposes of the bill. The bill would be repealed January 1, 1986, and would take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Title 1.5 (commencing with Section
2 11500) is added to Part 4 of the Penal Code, to read:

3
4 TITLE 1.5. STATEWIDE PROGRAMS OF
5 EDUCATION, TRAINING, AND RESEARCH FOR
6 LOCAL PUBLIC PROSECUTORS AND PUBLIC
7 DEFENDERS
8

9 11500. The purpose of this title is to improve the
10 administration of criminal justice by providing funding
11 for statewide programs of education, training, and
12 research for local public prosecutors and public
13 defenders.

14 11501. (a) There is hereby established in the Office
15 of Criminal Justice Planning, a program of financial
16 assistance to provide for statewide programs of
17 education, training, and research for local public
18 prosecutors and public defenders. All funds made
19 available to the Office of Criminal Justice Planning for
20 the purposes of this chapter shall be administered and
21 distributed by the executive director of the office in
22 consultation with the California Council on Criminal
23 Justice.

24 (b) The executive director of the Office of Criminal
25 Justice Planning is authorized to allocate and award funds
26 to public agencies or private nonprofit organizations for
27 purposes of establishing statewide programs of education,

1 training, and research for public prosecutors and public
2 defenders, which programs meet criteria established
3 pursuant to Section 11502.

4 (c) Annually, commencing January 1, 1982, the
5 executive director shall submit a report to the Legislature
6 describing the operation and accomplishments of the
7 statewide programs authorized by this title.

8 11502. (a) Criteria for selection of education,
9 training, and research programs for local public
10 prosecutors and public defenders shall be developed in
11 consultation with an advisory group entitled the
12 Prosecutors and Public Defenders Education and
13 Training Advisory Committee which is hereby created.

14 (b) The Prosecutors and Public Defenders Education
15 and Training Advisory Committee shall be composed of
16 six local public prosecutors and six local public defender
17 representatives, all of whom are appointed by the
18 executive director of the Office of Criminal Justice
19 Planning, who shall provide staff services to the advisory
20 committee. In appointing the members of the
21 committee, the executive director shall invite the
22 Attorney General, the State Public Defender, the
23 Speaker of the Assembly, and the Senate President Pro
24 Tempore to participate as ex-officio members of the
25 committee.

26 (c) The Office of Criminal Justice Planning, in
27 consultation with the advisory committee and the
28 California Council on Criminal Justice, shall develop
29 specific guidelines including criteria for selection of
30 organizations to provide education, training, and
31 research services.

32 (d) In determining the equitable allocation of funds
33 between prosecution and defense functions, the Office of
34 Criminal Justice Planning and the advisory committee
35 shall give consideration to the amount of local
36 government expenditures on a statewide basis for the
37 support of those functions.

38 (e) Administration of the overall program and the
39 preparation of the annual report to the Legislature shall
40 be performed by the Office of Criminal Justice Planning.

1 The office may, out of any appropriation for this program,
 2 expend an amount not to exceed 7.5 percent for any fiscal
 3 year for such purposes.

4 (f) No funds appropriated pursuant to this title shall
 5 be used to support a legislative advocate.

6 (g) To the extent necessary to meet the requirements
 7 of the State Bar of California relating to certification of
 8 training for legal specialists, the executive director shall
 9 insure that, where appropriate, all programs funded
 10 under this title are open to all members of the State Bar
 11 of California. The program guidelines established
 12 pursuant to subdivision (c) shall require that training
 13 costs shall be reimbursed by means of course attendance
 14 charges to be paid by all trainees who are not employed
 15 on a substantially full-time basis as prosecuting attorneys
 16 or criminal defense attorneys provided at public expense
 17 to qualified indigent defendants.

18 SEC. 2. The sum of four hundred ninety-five
 19 thousand dollars (\$495,000) is hereby appropriated each
 20 fiscal year from the Corrections Training Fund for the
 21 1981-82 fiscal year, and from the ~~Penalty~~ Assessment
 22 Fund for each fiscal year thereafter to the Office of
 23 Criminal Justice Planning for statewide programs of
 24 education, training, and research for local public
 25 prosecutors and public defenders pursuant to Title 1.5
 26 (commencing with Section 11500) of Part 4 of the Penal
 27 Code, *provided however, that the appropriation made*
 28 *from the Assessment Fund by this section shall not*
 29 *diminish the funds which would otherwise be transferred*
 30 *from the Assessment Fund to the Indemnity Fund and to*
 31 *the Peace Officers Training Fund.*

32 SEC. 3. This act shall remain operative only until
 33 January 1, 1986, and on such date is repealed.

34 SEC. 4. This act is an urgency statute necessary for
 35 the immediate preservation of the public peace, health,
 36 or safety within the meaning of Article IV of the
 37 Constitution and shall go into immediate effect. The facts
 38 constituting such necessity are that statewide training
 39 programs for local prosecutors and public defenders are
 40 necessary to cope with the increase in criminal

1 prosecutions and it is therefore necessary that this act go
 2 into immediate effect.

O

AMENDED IN ASSEMBLY MAY 6, 1981
AMENDED IN ASSEMBLY APRIL 23, 1981
AMENDED IN ASSEMBLY APRIL 20, 1981

CALIFORNIA LEGISLATURE—1981-82 REGULAR SESSION

ASSEMBLY BILL

No. 1169

Introduced by Assemblyman Martinez
(Coauthors: Assemblymen Agnos, Berman, Goggin, Harris,
Roos, and Rosenthal)
(Coauthor: Senator Sieroty)

March 18, 1981

An act to add Article 4.5 (commencing with Section 12080) to Chapter 1 of Title 2 of Part 4 of the Penal Code, relating to handguns.

LEGISLATIVE COUNSEL'S DIGEST

AB 1169, as amended, Martinez. Weapons: handgun safety.

(1) Existing law regulates the sale of concealable weapons. This bill would prohibit the sale, delivery, or transfer of a concealable firearm to any person, other than a peace officer, a member of the military forces, a federal law enforcement officer, or a licensed private investigator or private patrol operator, who has not completed a specified course or equivalency test in the use of firearms, as prescribed by the Department of Justice. *Violation would be a misdemeanor.* A fee not exceeding \$30 could be charged by the institution offering the course. The act would become operative July 1, 1982.

(2) *Article XIII B of the California Constitution and Sections 2231 and 2234 of the Revenue and Taxation Code require the state to reimburse local agencies and school*

districts for certain costs mandated by the state. Other provisions require the Department of Finance to review statutes disclaiming these costs and provide, in certain cases, for making claims to the State Board of Control for reimbursement.

However, this bill would provide that no appropriation is made and no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 SECTION 1. This act may be known, and shall be
2 cited, as the Handgun Safety Act of 1981.

3 SEC. 2. It is the intent of the Legislature in adopting
4 this act to help insure that people who purchase
5 dangerous weapons have some idea of how to properly
6 and safely use them. Nothing in this act shall be deemed
7 to imply eligibility for carrying a concealable weapon, or
8 to require the issuance of a license to carry concealed
9 weapons; nor shall a qualification card, issued pursuant to
10 this act, be deemed a license to carry concealed weapons.

11 SEC. 3. Article 4.5 (commencing with Section 12080)
12 is added to Chapter 1 of Title 2 of Part 4 of the Penal
13 Code, to read:

14
15 Article 4.5. Safety Training
16

17 12080. No person, corporation, or dealer shall sell,
18 deliver, or otherwise transfer any pistol, revolver, or
19 other firearm capable of being concealed upon the
20 person to any person who has not completed a course
21 certified by the Department of Justice in the use of
22 firearms or passed a firearms equivalency test
23 standardized by the Department of Justice pursuant to
24 the provisions of this article. *Any person violating this*
25 *section is guilty of a misdemeanor.*

26 12081. The firearms qualifying course shall be taken
27 under the auspices of any institution approved by the

1 Department of Justice to offer such firearms training.
2 The approved training institution is authorized to charge
3 a fee for covering the actual cost of the training. The fee
4 charged shall not exceed thirty dollars (\$30).

5 A qualification card shall be issued to each person who
6 successfully completes the course.

7 12082. The firearms equivalency test shall be taken
8 under the auspices of any institution approved by the
9 Department of Justice to administer such examination.
10 The approved institution is authorized to charge a fee
11 covering the actual cost of administering the test.

12 A qualification card shall be issued to each person who
13 successfully passes the test.

14 12083. The department in cooperation with the
15 Commission on Peace Officer Standards and Training,
16 shall develop standards for a course and an equivalency
17 test in the use of firearms. For this purpose, the
18 department may cooperate with any reputable
19 association or organization having as its major objective
20 the promotion of firearm safety.

21 Both the training course and equivalency test shall
22 cover, but not be limited to, the safe use and storage of
23 firearms, and the possible civil and criminal liabilities of
24 improper use of firearms.

25 12084. Each person issued a qualification card under
26 this article shall pay a fee to the Department of Justice.
27 The fee shall be no more than is necessary to reimburse
28 the department for any costs incurred pursuant to the
29 provisions of this article. The department may provide by
30 regulation for the manner in which the fee is collected
31 and paid.

32 12085. The provisions of this article shall not be
33 construed to apply to:

34 (a) A peace officer as defined in Chapter 4.5
35 (commencing with Section 830) of Title 3 of Part 2.

36 (b) A member of the military and naval forces of this
37 state or of the United States or a federal law enforcement
38 officer.

39 (c) A person holding a license as a private investigator
40 or private patrol operator issued pursuant to Chapter 11

1 (commencing with Section 7500) of Division 3 of the
2 Business and Professions Code.

3 SEC. 4. This act shall become operative on July 1,
4 1982.

5 *SEC. 5. No appropriation is made and no*
6 *reimbursement is required by this act pursuant to Section*
7 *6 of Article XIII B of the California Constitution or*
8 *Section 2231 or 2234 of the Revenue and Taxation Code*
9 *because the only costs which may be incurred by a local*
10 *agency or school district will be incurred because this act*
11 *creates a new crime or infraction, changes the definition*
12 *of a crime or infraction, changes the penalty for a crime*
13 *or infraction, or eliminates a crime or infraction.*

and detection of crime and general law enforcement in order to have the powers of a peace officer, the person must have completed the basic training for deputy sheriffs and police officers prescribed by the commission.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 832.6 of the Penal Code is amended to read:

832.6. (a) On or after January 1, 1981, every person deputized or appointed as described in subdivision (a) of Section 830.6 shall have the powers of a peace officer only when such person is:

(1) Deputized or appointed pursuant to paragraph (1) of subdivision (a) of Section 830.6 and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not specific police functions by the deputizing or appointing authority, whether or not working alone, and the person has completed the basic training prescribed by the Commission on Peace Officer Standards and Training.

A person deputized or appointed pursuant to paragraph (2) of subdivision (a) of Section 830.6 shall have the powers of a peace officer when assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training; or

(2) Assigned to the prevention and detection of crime and the general enforcement of the laws of this state while under the immediate supervision of a peace officer possessing a basic certificate issued by the Commission on Peace Officer Standards and Training, the person is engaged in a field training program approved by the Commission on Peace Officer Standards and Training, and the person has completed the course required by

Section 832 and such other training prescribed by the commission; or

(3) Deployed only in such limited functions as would not usually require general law enforcement powers and the person has completed the training required by Section 832 and such other training prescribed by the commission.

(b) Notwithstanding the provisions of subdivision (a), a person who is issued a level I reserve officer certificate before January 1, 1981, shall have the full powers and duties of a peace officer as provided by Section 830.1 if so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, if the appointing authority determines the person is qualified to perform general law enforcement duties by reason of the person's training and experience.

(c) In carrying out the provisions of this section, the commission:

(1) May use proficiency testing to satisfy reserve training standards.

(2) Shall provide for convenient training to remote areas in the state.

(3) Shall establish a professional certificate for reserve officers as defined in paragraph (1) of subdivision (a) of this section, and may establish a professional certificate for reserve officers as defined in paragraphs (2) and (3) of subdivision (a) of this section.

(d) In carrying out paragraphs (1) and (3) of subdivision (c), the commission may establish and levy appropriate fees, provided the fees do not exceed the cost for administering the respective services. These fees shall be deposited in the Peace Officers' Training Fund established by Section 13520.

(e) The commission shall include an amount in its annual budget request to carry out the provisions of this section.

AMENDED IN SENATE AUGUST 31, 1981

AMENDED IN SENATE AUGUST 20, 1981

AMENDED IN SENATE AUGUST 10, 1981

AMENDED IN SENATE JULY 2, 1981

AMENDED IN ASSEMBLY JUNE 17, 1981

AMENDED IN ASSEMBLY MAY 12, 1981

CALIFORNIA LEGISLATURE—1981-82 REGULAR SESSION

ASSEMBLY BILL

No. 2078

Introduced by Assemblymen Nolan and Larry Stirling

April 3, 1981

An act to amend Section 832.6 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2078, as amended, Nolan. Peace officers.

Existing law provides that *on or after* January 1, 1981, every person deputized or appointed as a reserve, auxiliary, or deputy peace officer of a *specified category* shall have peace officer powers only in specified circumstances. One of these circumstances is when the person is assigned to the prevention and detection of crime and the general enforcement of the laws whether or not working alone and the person has completed the basic training for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training in existence at the time the person is deputized or appointed.

This bill would instead provide that such a person when assigned to specific police functions shall have the powers of a peace officer if he or she has completed the basic training prescribed by the commission. When assigned to prevention

1 promulgate such regulations concerning standards for
 2 the approval of courses and the facilities at which they are
 3 held as are necessary to insure the proper presentation of
 4 the courses.

5 (d) Any person who successfully completes a course of
 6 instruction in the exercise of the power to arrest which
 7 has been approved by the Department of Justice and
 8 which has been held at a facility approved by the
 9 Department of Justice shall be entitled to receive a
 10 certificate of completion issued by the Department of
 11 Justice. A fee shall be charged by the Department of
 12 Justice for the certificate, the amount of which shall be no
 13 more than is necessary to reimburse the Department of
 14 Justice for the costs of approving courses and facilities,
 15 maintaining control of the quality of courses, and issuing
 16 certificates of completion. The Department of Justice
 17 may provide by regulation the manner in which the fee
 18 shall be collected and paid.

19 (e) No employee of a private patrol operator shall be
 20 issued a registration card until proper certification that
 21 this course has been taught and the employee's
 22 certification that the instruction was received has been
 23 made to the department.

24 (f) An employee of a licensee may be assigned to work
 25 on a temporary certification indicating completion of the
 26 course on exercise of powers to arrest and application for
 27 registration until issued a registration card or denied
 28 registration by the department.

29 SEC. 3. Section 7514.2 of the Business and Professions
 30 Code is amended to read:

31 7514.2. (a) Every private investigator, private patrol
 32 operator, alarm company operator, alarm agent
 33 employed by an alarm company operator, and any person
 34 employed and compensated by a private patrol operator,
 35 other lawful business or public agency as a security guard
 36 or patrolperson, and who in the course of such
 37 employment or business carries a deadly weapon, shall
 38 complete a course of training in the exercise of the
 39 powers to arrest and a course of training in the carrying
 40 and use of firearms. This subdivision shall not apply to

1 armored vehicle guards hired prior to January 1, 1977.
 2 Armored vehicle guards hired on or after January 1, 1977,
 3 shall complete a course of training in the carrying and use
 4 of firearms, but shall not be required to complete a course
 5 of training in the exercise of the powers to arrest. The
 6 course of training in the carrying and use of firearms shall
 7 not be required of any employee who is not required or
 8 permitted by a licensee to carry or use firearms. The
 9 course in the carrying and use of firearms and the course
 10 of training in the exercise of the powers to arrest shall
 11 meet the standards which shall be prescribed by the
 12 Department of Consumer Affairs Commission on Peace
 13 Officer Standards and Training. The department shall
 14 encourage restraint and caution in the use of firearms.

15 (b) No uniformed employee of a licensee shall carry or
 16 use any firearm unless such employee has in his or her
 17 possession a valid firearm qualification card.

~~(4)~~ Restrictions on searches and seizures.

~~(5)~~ Criminal and civil liabilities.

~~(A)~~ Personal liability.

~~(B)~~ Employer liability.

The department shall make available a guide book as a standard for teaching the course on exercising the power to arrest.

~~(c)~~ No employee of a private patrol operator will be issued a registration card until proper certification that this course has been taught and the employee's certification that the instruction was received has been made to the department.

~~(d)~~ An employee of a licensee may be assigned to work on a temporary certification indicating completion of the course on exercise of powers to arrest and application for registration until issued a registration card or denied registration by the department.

SEC. 2. Section 7514.1 is added to the Business and Professions Code, to read:

7514.1. (a) Notwithstanding any other provision of law, a person applying for a license as a private investigator, a private patrol operator, or a uniformed patrol person of a private patrol operator shall satisfactorily complete a course of instruction in the exercise of the power to arrest, approved by the Commission on Peace Officer Standards and Training.

(b) The Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training, shall develop standards for a course of instruction in the exercise of the power to arrest. The course shall include, but not be limited to, the following topics:

(1) Responsibilities, ethics in citizen arrest.

(2) Relationship with the public police in arrest.

(3) Limitations on security guard power to arrest.

(4) Restrictions on searches and seizures.

(5) Criminal and civil liabilities.

(A) Personal liability.

(B) Employer liability.

(c) The Department of Justice may adopt and

be authorized to adopt and promulgate such regulations as are necessary to insure the proper presentation of the course, and would be required to issue a certificate of completion for a fee, as specified, to any person who successfully completes a course of instruction in the exercise of the power to arrest, as specified.

Existing law provides that every private investigator, private patrol operator, alarm company operator, alarm agent employed by an alarm company operator, and any person employed and compensated by a private patrol operator, other lawful business or public agency as a security guard or patrol person, and who in the course of such employment or business carries a deadly weapon, shall complete a course of training in the exercise of the powers to arrest and a course of training in the carrying and use of firearms. These courses are required to meet standards which shall be prescribed by the Department of Consumer Affairs.

This bill would require instead that the courses meet standards which shall be prescribed by the Commission on Peace Officer Standards and Training.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7514.1 of the Business and
2 Professions Code is repealed.

3 ~~7514.1. (a) Every employee of a licensee who~~
4 ~~performs guard or private patrol service shall complete~~
5 ~~a course in exercising the power to arrest.~~

6 ~~(b) The course of training in the exercise of the power~~
7 ~~to arrest may be administered, tested and certified by any~~
8 ~~licensed private patrol operator. The Department of~~
9 ~~Consumer Affairs may approve any person or school to~~
10 ~~teach the course in the exercise of the power to arrest.~~
11 ~~The course of training shall be approximately two hours~~
12 ~~in length and cover the following topics:~~

13 ~~(1) Responsibilities; ethics in citizen arrest.~~

14 ~~(2) Relationship with the public police in arrest.~~

15 ~~(3) Limitations on security guard power to arrest.~~

ASSEMBLY BILL

No. 2172

Introduced by Assemblyman Vasconcellos

April 16, 1981

An act to amend Section 7514.2 of, and to repeal and add Section 7514.1 of, the Business and Professions Code, relating to private patrol service.

LEGISLATIVE COUNSEL'S DIGEST

AB 2172, as introduced, Vasconcellos. Private patrol service: training courses.

Existing law provides that every employee of a person licensed under the Private Investigator Act, which includes, but is not limited to, a private investigator, a private patrol operator, an insurance adjuster, a reposessor, an alarm company operator, and an armored contract carrier, who performs guard or private patrol service shall complete a course in exercising the power to arrest. The Department of Consumer Affairs is authorized to approve any person or school to teach the course in the exercise of the power to arrest. The course of training is required to cover specified topics and the department is required to make available a guide book as a standard for teaching the course.

This bill would provide, instead, that a person applying for a license as a private investigator, a private patrol operator, or a uniformed patrol person of a private patrol operator shall satisfactorily complete a course of instruction in the exercise of the power to arrest, approved by the Commission on Peace Officer Standards and Training. The Department of Justice, in cooperation with the Commission on Peace Officer Standards and Training, would be required to develop standards for a course of instruction in the exercise of the power to arrest. In addition, the Department of Justice would

STATUS OF PENDING LEGISLATION OF INTEREST TO POST

INFORMATIONAL *

<u>Bill/Author</u>	<u>Subject</u>	<u>Comments</u>	<u>Status</u>
AB 54 (Filante)	Regulatory Agency: Abolition		In Assembly
SB 111 (Alquist)	Assessment Fund: Amendments		In Senate
AB 253 (Alatorre)	Peace Officers Powers: Off duty		Held by Author
SB 375 (Dills)	Driver Training: Continuation of Program	(same as AB 651)	In Senate
AB 427 (Leonard)	Penalty Assessment: Sunset Date Change		In Assembly
SB 455 (Johnson)	Employee Records: Availability		Held by Author
AB 513 (Stirling)	Reserve: Training Requirements		Held by Author
SB 640 (Davis)	Driver Training: Increased Allowance		In Senate
AB 651 (Young)	Driver Training: Continuation	(same as SB 375)	In Senate
SB 673 (Sieroty)	Private Police: Standards		In Senate
SB 832 (Watson)	Assessment Fund: Amendment		In Assembly
AB 975 (Bergeson)	Regulatory Agency: Abolition		In Assembly
AB 1053 (McAlister)	Juvenile Offenses: Penalty Increase		In Assembly for concurrence
SB 1246 (Montoya)	Driver Training: Continuation		In Senate
AB 1304 and 1306 (Moore)	Fines: Increase		Held by Author

*Informational means the Commission will take no official position.
Rev. 12/23/81

Commission on Peace Officer Standards and Training

AGENDA ITEM SUMMARY SHEET

Agenda Item Title Baton Training for Private Security Guards		Meeting Date January 28, 1982
Bureau Training Delivery Services	Reviewed By <i>Gene DeCrona</i>	Researched By Gene DeCrona (C)
Executive Director Approval <i>Murray C. Beehan</i>	Date of Approval 1-11-82	Date of Report January 6, 1982
Purpose: Decision Requested <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Status Report <input type="checkbox"/> Financial Impact Yes (See Analysis per details) <input checked="" type="checkbox"/> No <input type="checkbox"/>		
In the space provided below, briefly describe the ISSUES, BACKGROUND, ANALYSIS and RECOMMENDATIONS. Use separate labeled paragraphs and include page numbers where the expanded information can be located in the report. (e.g., ISSUE Page _____).		

ISSUE

Security guards have been arrested and/or threatened to be arrested by local law enforcement officers for failure to produce evidence of appropriate baton training as required in Penal Code Section 12002(b).

Confusion exist throughout the state as to which training institutions are permitted to provide such training. The confusion exist because of varying interpretations of PC 12002(b) and PAM Section D-7. (Attachment 1)

BACKGROUND

Penal Code Section 12002(b) became effective on January 1, 1976. This Section indicates that uniformed security guards can carry any wooden club or baton of a type and substance approved, "... if the uniformed security guard has satisfactorily completed a course of training, in the carrying and use of the club or baton, which has been approved by the Commission on Peace Officer Standards and Training."

At the Commission meeting of April 22-23, 1976, the Commission approved certification of the first Security Guard Baton Training courses. During the following two and one-half years, several agencies were certified to present the course. At the Commission meeting on July 27-28, 1978, a Public Hearing was held to establish Commission definitions of "Certified" and "Approved" courses. (Attachment 2) The establishment of Commission Procedure D-7 and the adoption of the definitions negated the requirement for POST certified Security Guard Baton Training Courses. All courses were then decertified effective October 16, 1978.

ANALYSIS

Commission Procedure D-7 reflects the intent of the Commission regarding the presentation of the Security Guard Baton Training Course. The procedure indicates that the course is, "NOT POST certified. Public institutions currently presenting certified courses, and others as determined by the Commission, are designated to present these approved courses." The lack of specific definition of "others" has created a problem for the security industry.

Over the years, a number of private trainers have interpreted the law to mean that if they use the approved POST-developed baton course outline, they can legally teach the course. Numerous private schools have been operating throughout the state the past few years presenting the course based on this interpretation. POST staff position has consistently reflected that, unless the training is presented by an institution certified to present POST courses, the training does not satisfy the intent of PC 12002(b). This

Utilize reverse side if needed

policy was re-emphasized in Operations Division Memorandum of September 24, 1979 (Attachment 3).

Because of erroneous information circulated by numerous non-POST certified presenters, many security guards have been trained in the use of the baton by these presenters without the legal sanctions required.

A recent survey by POST staff indicates that there are 28 legitimate presenters of the Security Guard Baton Training Course in the state; however, they are not evenly distributed for satisfactory coverage to meet the training demands. This fact is obvious from the numerous requests received by the Training Delivery Services Bureau for information to identify course presenters. Staff is unable to provide such information because of the lack of responsibility to certify presenters. There is currently no state agency that certifies or maintains information sufficient to direct security personnel to trainers in their respective areas.

Action is requested of the Commission to be more specific regarding certification requirements for Security Guard Baton Training. There are two alternatives that may be considered for action.

Alternative 1 -

Change the language in Commission Procedure D-7 to provide for specific certification by the Commission of all such training.

Fiscal Impact -

It is estimated that each presentation of the certified course would involve two hours of POST staff time. This estimate is consistent with those made in 1976. One hundred presentations would approximate to 25 man-days annually, a minimal fiscal impact.

Alternative 2 -

Remove all restrictions for presentation of such training, indicating that the Commission is "Approving Curriculum Only." This would permit any private or public trainer to offer the "Approved" curriculum. The responsibility for quality control would rest solely with the user(s).

RECOMMENDATION

It is recommended that Commission Procedure D-7 be amended to allow staff to certify qualified training institutions or individuals to present the Security Guard Baton Training Course to meet the requirements of Penal Code Section 12002(b).

Attachments

CP D-7

Commission on Peace Officer Standards and Training

* Rev. January 1, 1981

	Minimum Hours		Minimum Hours
Level I Reserve Course	(120)	<u>Penal Code Section 13516</u> <u>Sex Crime Investigation +</u>	(6)
A. Professional Orientation		Preliminary Sexual Assault	
B. Police Community Relations		Investigation (Required part	
C. Law		of Basic)	
D. Communications		A. Overview of Problems, Issues	
E. Vehicle Operations		and Prevention Considerations	
F. Laws of Evidence		B. Sensitivity of Responding Officer	
G. Patrol Procedures		C. Treatment of Victim	
H. Traffic		D. Preliminary Investigation Procedure	
I. Criminal Investigation		E. Collection and Preservation of	
J. Custody		Evidence	
K. Physical Fitness &		F. Classroom Demonstration	
L. Defensive Techniques			
L. Examination			
<u>Penal Code Section 12002</u>	(8)	<u>Follow-up Sexual Assault</u> <u>Investigation +</u>	
<u>Baton for Private Security++</u>		(Optional Technical Course)	
A. Legal & Ethical Aspects of Force		A. Basic Assault Investigation	
B. Baton Familiarization and Uses		B. Review Report of Preliminary	
C. First Aid for Baton Injuries		Investigation	
D. Practical--Techniques		C. Re-interview the Victim	
<u>Penal Code Section 12403</u>	(8)	D. Investigation of the Suspect	
<u>Chemical Agents for Peace Officers ++</u>		E. Physical Evidence	
A. Legal and Ethical Aspects		F. Prosecution	
B. Chemical Agents Familiarization		G. Pretrial Preparation	
C. Medical and Safety Aspects			
(First Aid)		<u>Penal Code Section 13517 Child Abuse and</u> <u>Neglect +</u>	
D. Use of Equipment		A. Detection	
E. Simulations and Exercises		B. Investigation	
* <u>Penal Code Section 12403.5</u>	(2)	C. Response	
<u>Chemical Agent Training for Private</u>		D. Procedures for determining whether or	
<u>Security Personnel and California Youth</u>		not a child should be taken into	
<u>Authority parole agents (training</u>		protective custody	
<u>prescribed in PC 12403.7, certified</u>			
<u>by Department of Justice) ++</u>		<u>Vehicle Code Section 40600</u> <u>Traffic Accident Investigation +</u>	
A. Self Defense, History of Chemical		A. Vehicle Law and Court Decisions	
Agents, and Aerosol Weapons		Relating to Traffic Accidents	
B. Effectiveness as a Self-Defense		B. Report Forms and Terminology	
Weapon		C. Accident Scene Procedures	
C. Mechanics of Tear Gas Use		D. Follow-up and Practical Application	
D. Medical Aspects of First Aid			
E. Practical Use		<u>Civil Code Section 607f</u>	(15)
F. Field Training and Demonstration		<u>Humane Officer Firearms +</u>	
G. Discard of weapons		(Course is Firearms portion of	
<u>Penal Code Section 13510.5</u>		PC 832 Course, with examination)	
<u>State Agency Peace Officers +</u>			
(The Advanced Officer Course as			
prescribed in D-2 shall satisfy the			
minimum training required by PC 13510.5			
per Commission action of October 1978)			

+Certified courses.

++Not POST certified. Public institutions currently presenting certified courses, and other as determined by the Commission, are designated to present these approved courses.

COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MINUTES

July 27-28, 1978

6.

D. Public Hearing

1. Definitions of "Certified" and "Approved" Courses and add new Section 1007, Standards for Approved Courses.

Ronald Kaldor, Attorney at Law, representing Community College Consultants, addressed the Commission to request consideration of an addition to proposed regulation Section 1007, a request for designation of private training institutions also be provided in PAM D-7.

It was agreed inasmuch as staff had just received this proposal, the matter of certifying private training institutions be deferred until staff has ample opportunity for analysis.

There was no further discussion from the audience on this matter.

MOTION - Jackson, second - Holloway, carried unanimously to approve the public hearing proposal:

- 1.) Amend Section 1001 (d) and (v) to read:

- (d) "Certified Course" is a formal program of instruction for law enforcement for which the Commission approves individual presentations for the purpose of maintaining quality control.

- (v) "Approved Course" is a curriculum that is determined by the Commission to satisfy a legislative mandate. Approved courses are described in Section 1007 of the Regulations.

Amend Section 1005, Minimum Standards for Training, to read:

1005. (g) Approved Courses (Legislatively Mandated)

- (1) Approved Courses are mandated by the Legislature for selected peace officers and other groups.

- (2) Requirements for Approved Courses are set forth in PAM, Section D, "Approved Courses."

Memorandum

: All Operations Division Consultants

Date : September 24, 1979

Bradley W. Koch, Director, Operations Division
From : **Commission on Peace Officer Standards and Training**

Subject: BATON TRAINING FOR PRIVATE SECURITY

Apparently, we are continuing to receive questions from private presenters wanting to know if POST will certify/approve their Baton Training Course for private security officers.

In order to clarify POST's position on this issue, research has been conducted to determine the official Commission position relative to this issue. The following information is provided to clarify the policy all consultants should cite in the future when discussing this particular issue:

1. The law in Section 12002 of the Penal Code states that the course must be approved by POST.
2. POST Regulation 1017 states that the Commission may designate training institutions or agencies to present approved courses.
3. By Commission policy and procedure, only those presenters and institutions who are currently certified to present POST certified courses are approved by POST to present Baton Training Courses for private security personnel.

Private institutions presenting this training without the appropriate POST certification are not authorized under the law to present the course.

BWK:cn



POLICE DEPARTMENT

CITY AND COUNTY OF SAN FRANCISCO

HALL OF JUSTICE

450 DRYANT STREET

SAN FRANCISCO, CALIFORNIA 94103



December 21, 1981

ADDRESS ALL COMMUNICATIONS:
CORNELIUS P. MURPHY
CHIEF OF POLICE

OFFICE OF THE
CHIEF OF POLICE

HC & Commission
FYI

IN REPLY, PLEASE REFER TO
OUR FILE: 791/65

RECEIVED
11 58 AM '81
COMMUNICATIONS SECTION

Mr. Norman C. Boehm, Executive Director
Commission on Peace Officer Standards and Training
7100 Bowling Drive
Sacramento, California 95823

Attention: Administration Division

Dear Mr. Boehm:

On June 1, 1980, Randolph Lewis Taylor successfully completed the preliminary entrance requirements for the San Francisco Police Department. Accordingly, a physical examination was conducted as prescribed by P.O.S.T. Commission Procedure C-2. A personal history investigation was also instituted in compliance with Section 1002 (a) (3) of the Commission Regulations and Commission Procedure C-1.

As a result of physical examination by the Police Surgeon, Dr. Norman Steiner, Mr. Taylor was medically rejected by reason of hearing impairment and psychological trauma sustained in Viet Nam war service with the Marine Corps. This rejection was initially overruled by the San Francisco Civil Service Commission.

Upon appeal of the ruling and re-hearing of the case, the Civil Service Commission was provided with documentation of the fact that Mr. Taylor continues to receive 100 per cent disability compensation from the Veteran's Administration for psychoneurosis emanating from his war service. Based upon this information, the Commission reversed the previous ruling and sustained the rejection.

On July 20, 1981, Mr. Taylor appealed the ruling of the Civil Service Commission to the Superior Court, Judge Anthony Kline presiding. The Court subsequently remanded the case to the Civil Service Commission for another hearing, ruling that the medical history in the case could not be considered. This position was based upon medical testimony which conflicted with the evaluation of Doctor Steiner.

Mr. Norman C. Boehm, Executive Director, Commission on P.O.S.T.
December 21, 1981
Page 2

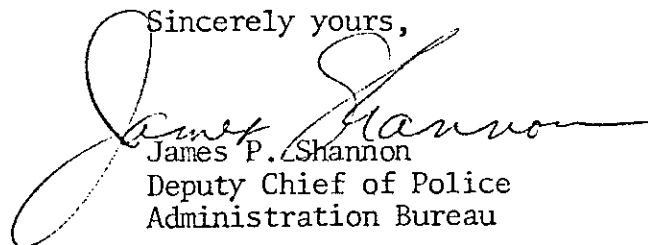
On December 14, 1981, the Civil Service Commission conducted the hearing ordered by the Superior Court. In keeping with the Court Order, no reference was made to the medical history. However, information acquired in the personal history investigation was presented, which confirmed arrests for drunk driving and public drunkenness, chronic drug abuse and recurrent failure to meet credit obligations. Based upon these factors, our Department again emphatically requested rejection of Mr. Taylor.

Mr. Taylor's legal representative then introduced direct medical testimony to the effect that all of the deficiencies cited by our department were directly related to the medical history of Mr. Taylor. The Commission then ruled that any consideration of the information presented in relation to the personal history investigation would violate the Court Order and ordered that Mr. Taylor be certified as eligible for appointment.

Our Department maintains the position that Randolph Lewis Taylor does not meet entry level standards for appointment as a peace officer. However, the rulings of the Superior Court and the Civil Service Commission remove the matter from our control and mandate his appointment.

It is hopeful that this letter will clarify the circumstances under which this appointment will be made.

Sincerely yours,


James P. Shannon
Deputy Chief of Police
Administration Bureau



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)
Attorney General

555 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

January 13, 1982

COMMISSION ON POST
JAN 15 10 48 AM '82

Mr. Nathaniel Trives
Chairman, Commission on Peace
Officer Standards and Training
30 Van Ness, Suite 2118
San Francisco, California 94102

Dear Nat:

As I indicated previously, the State Personnel Board has recently completed a comprehensive study on physical ability entry requirements for the state classifications of Correctional Officer and Correctional Supervisor. This project was undertaken to fulfill requirements of Senate Bill 935. This law called for the State Personnel Board to establish "appropriate job related physical examinations and entry standards for Correctional Officer and Correctional Supervisor classifications." This study involved an extensive job analysis, the identification of critical tasks, the development of performance standards, the development of testing instruments, and the subsequent validation of the physical ability standards that were set.

Based upon additional interviews with State Personnel Board staff, I was able to learn that the Correctional Study cost approximately \$100,000. Of this amount, \$75,000 was dedicated to personal services with the remaining \$25,000 budgeted for operating expenses. Of the \$75,000 allocated for personal services, \$12,000 was spent for the obtainment of consultant expertise.

At the present time, the State Personnel Board is involved in a number of testing projects with special emphasis being dedicated toward compliance with Assembly Bill 1377, which requires the replacement of the maximum age limitations for entry into state law enforcement classifications with job-related physical ability and medical standards which have been developed and validated. This two-pronged project (medical and physical ability) is in the midst of its first phase which includes the development of a "Job Analysis" and associated performance standards for each class.

In researching the medical component of this latest project, I was informed that the cost for the completion of this component is budgeted somewhere in the vicinity of \$52,000. With the job analysis having been completed for the various law enforcement classifications, the City of San Bernardino (who has been awarded the contract) will

Mr. Nathaniel Trives
January 13, 1982

-2-

take the data that has been supplied and will develop a "model" for developing medical standards and validating them. While this model will be useful in subsequent research, it unfortunately will not provide any specific medical standards for the various law enforcement classes that are being examined.

Relative to the physical ability component of this project, the "Job Analysis" material is just about completed. Once the job analysis data has been developed, the State Personnel Board will then begin the more difficult part of this project which involves the establishment of job related physical ability standards, testing instruments, and the validating of the resultant physical ability standards.

As work begins on this part of the study, the State Personnel Board will attempt to determine the similarity of the functions between the law enforcement classes currently being examined (e.g., DOJ Special Agents, State Police Officers, Parole Agents, etc.), and those performed by law enforcement related classifications that have already been researched (e.g., CHP, Correctional Officer, Fish and Game Warden). Where similarities and functions and activities exist, the State Personnel Board will attempt to utilize the testing instruments and tasks for measuring those activities that were developed during these previous studies. While they may be able to "transport" the tests and the tasks from previous studies, the State Personnel Board stated that they will still set individual standards, anchor the test differently and validate the standards dependent upon the specific classification they are currently examining. As an example, if research indicates that one of the job-related activities for the State Police Officer is a certain specific type of running requirement and a similar requirement was identified in the previous CHP study, they will examine the possibility of using the same task and test that was developed to measure this job-related running function during the CHP study. However, the standard and passing score for State Police Officer would still be individually established and validated dependent upon what the specific "Job Analysis" for the State Police Officer classification indicated.

Inasmuch as no specific budget proposal for this project exists, it was difficult to obtain specific past and anticipated costs associated with this physical-ability effort. When asked just for a general ballpark figure, they indicated they had spent approximately 100 man hours already on the job analysis portion of the study. They also indicated that they would require approximately 6,000 - 8,000 hours (3 - 4-1/2 man-years) for the completion of their current physical ability study. In addition, they estimated that they would additionally spend approximately \$60,000 on specific consultant fees involving the use of exercise physiologists, testing experts, etc.

Mr. Nathaniel Trives
January 13, 1982


-3-

Although the above analysis does not point to any clear cut conclusions regarding the proposed POST study and its budget compared to that of the State Personnel Board, I still remain unconvinced that POST needs to spend approximately \$800,000 over the next three years to meet the requirements of Assembly Bill 1310. The financial data I obtained from the State Personnel Board would seem to indicate that the study could be done for substantially less money.

I would like to suggest that we proceed via the RFP procedure; have a number of private vendors bid for this project and then consider the bids in relationship to the cost the staff has proposed. This procedure will enable us to determine if the POST staff's budget is realistic, and may also point to a much cheaper way of having the study completed.

I would like to see this discussed at the January Commission meeting and have the issue decided.

Most cordially,


RODNEY J. BLONIEN
Special Assistant Attorney
General

RJB:bt

cc: Norman C. Boehm
Executive Director, POST ✓